



HANDBOOK FOR FUNCTIONARIES OF URBAN LOCAL BODIES, DEVELOPMENT AUTHORITIES AND PARASTATALS ON PROCUREMENT AND WORKS - 2018

VOLUME - I

**URBAN DEVELOPMENT AND
MUNICIPAL AFFAIRS DEPARTMENT
GOVERNMENT OF WEST BENGAL**



HANDBOOK FOR FUNCTIONARIES OF
URBAN LOCAL BODIES, DEVELOPMENT
AUTHORITIES AND PARASTATALS
ON PROCUREMENT AND WORKS
2018

VOLUME - I
(UP TO 14-09-2018)

Urban Development & Municipal Affairs Department
Government of West Bengal

ফিরহাদ হাকিম
फिरहाद हाकिम
فیرہاد حکیم

FIRHAD HAKIM



MINISTER-IN-CHARGE
DEPARTMENT OF URBAN
DEVELOPMENT & MUNICIPAL AFFAIRS
GOVERNMENT OF WEST BENGAL

P R E F A C E

I am glad to note that the Urban Development & Municipal Affairs Department is coming up with this Handbook for Functionaries of Urban Local Bodies, Development Authorities and Parastatals on Procurement and Works - 2018. The compilation brings together all orders and guidelines which aim to make government procurement for works and goods more transparent, effective and efficient. The Department has also introduced Rapid Scrutiny Protocol aiming at faster approval of Projects, while observing all formalities and procedures prescribed by the Government, the relevant orders have also been included.

I would like all officials connected with Urban Local Bodies to be familiar with all orders which have been made a part of this Handbook. These would help them in the discharge of their responsibilities. I also urge Mayors of Municipal Corporations, Mayors-in-Council, Chairpersons of Municipalities and all other functionaries in Urban Local Bodies and Development Authorities in West Bengal to go through the publication carefully.

I invite suggestions and comments from everyone concerned for further improvement of this Handbook.

(Firhad Hakim)

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Subrata Gupta
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31st August, 2018

FOREWORD

The role of the government is to maximize the welfare of the people. In India, the municipalities or Urban Local Bodies have been given a constitutional status through the 74th Constitutional Amendment. The municipalities are therefore the principal vehicles for providing services to the citizens living in urban areas. In West Bengal, the Development Authorities supplement the role of the municipalities and in some urbanizing areas by creating infrastructure and civic amenities.

The Urban Development and Municipal Affairs Department aims to provide support and guidance to the municipal bodies and Development Authorities in their exercise of their powers and responsibilities. Our continuous endeavour in the department has been to empower these authorities so that they are able to function more effectively and efficiently.

Government resources are to be utilized in the most effective and transparent manner; the Finance Department has brought out a slew of orders and guidelines with that objective. The Urban Development and Municipal Affairs Department has introduced a Rapid Scrutiny Protocol to make the process of grounding of projects both faster and more efficient. The Handbook for Functionaries of Urban Local Bodies, Development Authorities and Parastatals on Procurement and Works - 2018 compiles all the relevant orders in an easy to read format for the functionaries in these bodies. I am hopeful that the handbook would meet a very important need of all municipal bodies and Development Authorities.

I would like to congratulate the Director, ILGUS, Joint Secretary (Budget), Financial Advisor and all others associated with preparing this handbook for the excellent production given the constraints of time.

(Subrata Gupta)
Principal Secretary



Subrata Gupta
Principal Secretary

**Department of Urban Development
& Municipal Affairs**
Nagarayan, DF-8, Sector-I
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শুভেচ্ছাবার্তা

একবিংশ শতাব্দীতে বিশ্বের সমস্ত দেশের সঙ্গে ভারতবর্ষেও দ্রুত নগরায়নের একটি প্রক্রিয়া চলছে। পশ্চিমবঙ্গেও পুর ও নগরোন্নয়ন দপ্তরের পরিচালনায় সমস্ত পুরসভা, কর্পোরেশন, উন্নয়ন পর্যদ ও বিধিবদ্ধ এলাকাগুলিতে উন্নয়নের বিশাল কর্মকাণ্ড অনুষ্ঠিত হচ্ছে।

এক্ষেত্রে আমরা যেন নিশ্চিতভাবে মনে রাখি যে এই উন্নয়ন তখনই স্থায়ী হবে যখন তা প্রাকৃতিক সম্পদ ও শক্তিগুলির সঙ্গে সামঞ্জস্যপূর্ণ হবে। যে মানব সমাজের জন্য উন্নয়ন সেই মানব সমাজের আশা-আকাঙ্ক্ষার প্রতিফলন থাকা চাই আমাদের পরিকল্পনায়।


আমি আপনাদের দৃষ্টি পুর ও নগরোন্নয়ন দপ্তর সম্পর্কিত আইন ও বিধিনিয়মগুলির প্রতি আকর্ষণ করতে চাই যা আমাদের সঠিক পথে স্বচ্ছতা ও দায়বদ্ধতার সঙ্গে কাজগুলি সম্পন্ন করতে সাহায্য করবে। সেই সঙ্গে টেন্ডার প্রক্রিয়া, অডিট, তথ্যপঞ্জীর সঠিক সংরক্ষণ, সম্পদ রেজিস্টার, হিসাব রক্ষণ, আর্থিক শৃঙ্খলার দিকগুলিতে আরও বেশি মনোযোগ দিলে দপ্তরের কাজের মান আরও উন্নত হবে। কাজের টেন্ডার করার আগে সংশ্লিষ্ট সকল সংস্থাকে তা জানিয়ে দিলে পরবর্তীকালে টেন্ডারের সাফল্যের হার আরও বাড়বে এবং কাজের মানও বাড়বে।

সম্প্রতি, অত্যন্ত উদ্বেগের সঙ্গে লক্ষ্য করা যাচ্ছে যে অধিকাংশ পুরসভা, কর্পোরেশন, উন্নয়ন পর্যদ ও বিধিবদ্ধ এলাকা কর্তৃপক্ষ আর্থিক বছরের শেষে বেশ কিছু অর্থ সদ্যবহার করতে সক্ষম হয়নি এবং সরকারী কোষাগারে ওই অর্থ ফেরৎ দিতে হয়েছে। এই বিষয়টি দপ্তরের কাজের মূল্যায়নে সাফল্যকে প্রতিহত করে। এই বিষয়ে আরও বেশি যত্ন নেওয়ার অনুরোধ জানাই কারণ যে অর্থ থেকে মানুষের প্রয়োজনে প্রকল্প নেওয়া যেত, সেই প্রকল্পগুলি থেকে মানুষ বঞ্চিত হলো। এই বিষয়ে একটি নতুন উদ্যোগ নেওয়া হচ্ছে যেখানে সফটওয়্যারের মাধ্যমে প্রকল্পের অনুমোদনের প্রস্তাব ও প্রকল্পের জন্য অর্থ বরাদ্দের প্রস্তাবগুলি পুরসভা, কর্পোরেশন, উন্নয়ন পর্যদ ও বিধিবদ্ধ এলাকা কর্তৃপক্ষগুলি সঠিকভাবে দপ্তরে জমা দিতে পারবে এবং সঠিক সময়ে সেগুলির অনুমোদন ও বরাদ্দকরণ হতে পারবে। কোনও প্রকল্পই নজরের বাইরে থাকবে না। ফলে আশা করা যায় প্রত্যেকটি সংস্থারই কাজের মান বাড়বে এবং দপ্তরের আর্থিক শৃঙ্খলাতেও তার প্রতিফলন ঘটবে। এই পুস্তিকাটিতে সাম্প্রতিক গুরুত্বপূর্ণ বিষয়গুলি সংকলিত করার প্রয়াস নেওয়া হয়েছে যা আশা করি আপনাদের প্রয়োজনে লাগবে। সামগ্রিকভাবে বিষয়টির রূপায়ণে আপনাদের সকলের আন্তরিক সহযোগিতা কামনা করি।

সবশেষে দপ্তরের অন্তর্গত সমস্ত স্তরের উন্নয়নকর্মী ও জনপ্রতিনিধিদের আমার পক্ষ থেকে আন্তরিক সহযোগিতার অকুণ্ঠ আশ্বাস জানাই।

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শুভেচ্ছান্তে


৬/০৮/২০১৮
সুরত গুপ্ত

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Rapid Scrutiny Protocol

(RSP)

Government of West Bengal
Urban Development & Municipal Affairs Department
“Nagarayan”, DF-8, Sector - I
Bidhannagar, Kolkata- 700064

ORDER

No. 2606 - UD/O/M/B/MISC-05/2016

Dated: 31st August 2018

The Government had been considering to bring in a more transparent, standardized and quicker system for approval of projects and release of funds in favour of Urban Local Bodies and Development Authorities for sometime. After examining the various aspects, Government in the Urban Development & Municipal Affairs Department has decided to introduce a system named Rapid Scrutiny Protocol (RSP) for all projects funded out of state funds.

The Rapid Scrutiny Protocol lays down a standardized format for Detailed Project Reports and is backed by a software to enable quick scrutiny of DPRs submitted, generation of acknowledgement memo and release of funds in favour of the project recommending entities. RSP facilitates a systematic manner of submission of DPRs as well as their scrutiny and approval. Chairpersons and Executive Officers of all Municipalities, Mayors and Commissioners of all Corporations, Chief Executive Officers and Executive Officers of all Development Authorities, Estate Manager and other functionaries of all Parastatals are hereby advised to adopt the Rapid Scrutiny Protocol with immediate effect and prepare all DPRs as per the format suggested in the enclosed Check List. The essential components of the RSP are described below.

- 1) All DPRs must have the Check List as the top sheet. The documents and information in the DPRs must be provided in the same sequence as they appear in the Check List and pages numbered and noted in the Check List. The Check List must be filled up with adequate care and signed by the official indicated therein.
- 2) To facilitate quick and interactive scrutiny, all DPRs must be delivered in person. It would be beneficial for the Project recommending authority, i.e. Urban Local Body or Development Authority concerned to send the DPR through the official who has prepared it or who is aware of its contents. All DPRs must be handed at the DPR Scrutiny Cell at 5th floor, Nagarayan, UD&MA Department. Due to the requirements of scrutiny in consultation with the officials of the ULB or DA, DPRs would not be received by post, fax or courier.
- 3) The DPR Scrutiny Cell would scrutinize the DPR and enter the contents of the Check List into the software and immediately generate the Acknowledgement Memo with the Project Identification Number and date of registration of the DPR and hand it over to the authorized official who submits it. In the event the proposal lacks any essential information/document, a check list highlighting the deficiencies will be generated and handed over to the authorized person on the date of submission itself. The ULB/DA concerned are requested in that eventuality to rectify the deficiencies and resubmit through authorized official at the earliest. This step has been devised to avert the possibility of back and forth correspondence for clarifications and rectification of DPRs which consume substantial time and consequent delays. Delays involved in such correspondences are avoidable.
- 4) ULBs/DAs are advised to prepare DPRs as per latest Schedule of Rates and Standards available and provide all the data and information provided in the Check List. If any such information is not relevant for a project, “Not Applicable” must be noted against the relevant entry in the Check List.

- 5) Project recommending authority, must also include a short Rationale for the project, including a Cost-Benefit Analysis as a part of the DPR. This is an important document which would help the department to prioritize approvals and release of fund. This document would also be useful during audit and in publications by the project recommending authority or the Department.
- 6) The project recommending authority must also provide a phasing of the expenditure for the project over the project execution period broken up into financial years in the Check List, if a project execution spans more than one financial year. This phasing must not be done mechanically and the exercise to do this must keep in view time required for tendering a project, time required for grounding it, capacity of the contractor, the resources available with the project recommending authority to monitor and support the project execution and other relevant factors.
- 7) The project recommending authority will have the freedom to club similar type of projects in one DPR to reduce paper work and speed up approvals, e.g. an ULB may club five street lighting projects in one DPR. In such cases, the Table of Sub Projects in the Check List has to be filled up. This would allow for separate tenders for individual sub projects. However, projects of different types cannot be included in one DPR e.g. Three projects on road construction cannot be clubbed together with two projects of storm water drain construction. This is further illustrated in the Check List.
- 8) The same exercise will have to be followed for request for release of fund (1st, 2nd and successive installments). For release of 1st installment, documents required are e-tender notice, copy of work-order, system generated comparative statement. For release of 2nd and subsequent installments, only Utilization Certificate in original for the last allotment is required to be submitted. Any request for fund should be supported by up to date work order issued.

It is recommended that the ULBs/DAs prepare a plan for the current financial year and subsequent 3-4 years clearly indicating their priority. Administrative Approval and Financial Sanction(AA & FS) will be issued by this Department strictly on the basis of priority and Government objectives.

ULBs/DAs will have to bear in mind that the Operation & Maintenance (O&M) cost for the assets created out of state budget will have to be borne by them out of their own resources. Therefore, projects proposed by them should be based on their own assessment of their financial capacity to run or maintain them.

This order will take immediate effect.



(Subrata Gupta)
Principal Secretary
UD&MA Department

No. 2606 /1(155)- t/D/O/M/B/MISC-05/2016

Dated: 31st August 2018

Copy forwarded for information and necessary action to:

- 1-118. The Chairman, Municipality
 119-125. The Commissioner, Municipal Corporation
 126. The CEO, KMDA
 127. The CEO, ADDA
 128. The CEO, SJDA
 129. The CEO, HDA
 130. The CEO, HIT & E.O., Special Secretary to the Govt. of West Bengal
 131. The CEO, NKDA
 132. The Project Director, NGRBA
 133. The ADM & EO, JDA
 134. The ADM(G) Birbhum & EO, TRDA
 135. The EO, DSDA
 136. The EO & Member Secretary, GBDA
 137. The EO, BDA
 138. The SDO, Sreerampur & EO, FSDA
 139. The SDO, Khatra & EO, MDA
 140. The SDO, Chandannagar & EO, TDA
 141. The SDO, Mekhliganj & EO, CDA
 142. The Joint Managing Director, HIDCO
 143. The ADM (ZP), Birbhum & EO, BKDA
 144. The ADM (Dev), Birbhum & EO, PDA
 145. The ADM (Dev), Paschim Medinipur & EO, MKDA
 146. The Estate Manager, Kalyani
 147. The Special Engineer, SLR & DC
 148. The Executive Engineer & EO, SSDA
 149. Private Secretary to Hon'ble MIC, UD & MA Department
 150. The Special Secretary (Sujata Ghosh), UD & MA Department
 151. The Joint Secretary (Papia Ghosh Roy Chowdhury), UD & MA Department
 152. The Joint Secretary (Suman Bhattacharya), UD & MA Department
 153. The Joint Secretary (Sumita Bagchi), UD & MA Department
 154. DPR Scrutiny Cell, UD & MA Department
 155. Guard Folder



(Subrata Gupta)
 Principal Secretary
 UD&MA Department

Comprehensive Checklist for DPR Submission

Name of the Municipal Body / Development Authority

Name of the work

Implementing Agency
(e.g. KMDA/MED/PWD etc.)

Estimated cost : Rs.....

Phasing of Expenditure

Financial Year	Financial Year	Proposed Expenditure (Rs.)
Year of AA & FS (Y)		
Y+1		
Y+2		
Y+3		
Total Project Cost (Rs.)		

Part - I

SI. No.	Particular	Yes/ No/ NA	Page No.	Remarks
1	Has the DPR been prepared on the basis of detailed survey, investigation and engineering design?			
2	Has a Rationale for the project (along with brief cost benefit analysis) been prepared and included?			
3	Have the estimates been prepared based on detailed drawings and using latest PWD and other Schedule of Rates (SOR)?			
4	Are the site plans, structural drawings, architectural drawings included in the DPR?			
5	Has the detailed measurement sheet incorporating L, B, H/D for each item been annexed immediately following the abstract cost of the particular item in the DPR?			
6	Have the detailed drawings of the works to verify the quantity mentioned in the detailed measurements included in the DPR?			
7	Are separate drawings, plan & estimates for electrical works provided in the DPR?			
8	Are separate drawings, plan & estimates for sanitary & plumbing provided in the DPR?			
9	Are rate analyses provided in case of Non-schedule items and copy of budgetary quotation included in the DPR?			

SI. No.	Particular	Yes/ No/ NA	Page No.	Remarks
10	Have the scope and necessity for ancillary works like land filling, approach road, internal roads, boundary wall, fencing, tube wells, water storage, drainage, electric connection thoroughly examined and all such necessary components included in the DPR?			
11	Are the issues of utility shifting (shifting of electric poles, shifting of water pipe lines), road cutting, tree cutting etc. that may arise during the execution of work have been thoroughly investigated and incorporated?			
12	If such utility shifting is involved (please mention in remarks column), has the cost of such shifting work as quoted by concerned department included in the DPR?			
13	Have the details of fire safety and estimate for fire fighting equipment (wherever necessary) been provided in the DPR?			
14	If soil testing is required, are the provisions for excavation of soil and cost estimates included in the DPR?			
15	Are the statutory clearances (Ground water permission, Fire NOC, Tree cutting) that are essential before or during the execution of the work included in the DPR?			
16	Have the scope and necessity for Operation and Maintenance been examined and such details included in the DPR as a separate item (wherever applicable)?			
17	Is the land proposed by Implementing Agency sufficient and suitable for the proposed work/project? Is a sketch map of the land with land ownership details included?			
18	Is the proposed work / Project technically feasible?			
19	In case of works such as tube wells, CCTVs, electric poles, is the list of specific locations included in the DPR?			
20	Are the photographs of proposed site attached with DPR?			
21	Total period for execution of the project from date of Administrative approval?			
22	Has a phasing of expenditure financial year wise (based on technical feasibility / ULB's / DA's capacity) been included?			

NOTE

- Several schemes may not require some of the above mentioned documents. In such cases, reasons for non-inclusion should be noted in the Remarks column.
- Sometimes it may not be possible to obtain statutory clearances/ NOCs from different departments before the sanction of project. In such case at least details of such clearances required, status of application process, dimensions/ volume of work, tentative cost involved etc should be mentioned in DPR. Appropriate remarks should be made in the check list also.

Signature with Date & Seal	
Name of the Engineer	
Designation	
Contact Number	
Email Address	

Part - II

SL No.	Particulars	Yes/No	Page No.	If no, reasons thereof/ Remarks
1	Has the DPR been prepared by authorized engineer following the current PWD Schedule of Rates?			
2	Has the DPR been properly vetted by competent engineer*?			
3	Has the Executive summary of DPR been duly countersigned by Chairperson, Municipality?			
4	Is the copy of resolution by Board of Councillors (BOC) approving the proposed work enclosed with DPR?			
5	Is the declaration by Chairperson of Municipal Body/ Development Authority regarding compliance with e-tender procedure and submission of work completion certificate, utilization certificate duly countersigned by EO / FO in time (Annexure-A) enclosed?			
6	Is the statement showing tentative period of execution, expected time of completion of the work/ project included in the DPR?			

NOTE

*Competent engineer could be from MED/KMDA/ULB/Development Authority/SLRDC or any other department like PWD, PHE etc.

Complete details of land on which project is proposed may be incorporated in the DPR. The details would include the mouza name with JL No., plot numbers, khatian numbers and in case of purchased or gifted land, copy of registered deed.

If several schemes of similar types are there, ULB may club them together. E.g. several projects of road construction or LED lights on several streets may be clubbed together, if considered convenient. However, once, clubbed together, they may not be split for inviting tenders.

Vetting power: Assistant Engineer - Below Rs. 3 lakh; Executive Engineer - up to Rs. 45 lakh; Superintending Engineer - up to 2 Crore; Chief Engineer - more than Rs. 2 crore vide G.O. No 158/HA/N/Estt(MED)/2E-10/2017

Dt. 76.2018.

Mayor/Commissioner Corporation
 Chairperson/Executive Officer Municipality
 Chief Executive Officer / Executive Officer
 Development Authority

Part - III**Table of Sub Project**

Estimated cost of Project Rs.....

Sub Project Serial No.	Name of Sub Project	Estimated Cost (Rs.)
Total (Rs.)		

Note:

A DPR may consist of a group of similar sub projects within a municipal area or the jurisdiction of a Development Authority. A DPR shall not incorporate sub projects of different types. In case of a project containing different components, the sub projects may be of different nature but all part of the larger project.

Illustration:

- 1) A ULB may submit a project for LED lighting in its jurisdiction. To facilitate its execution, it may have sub projects such as “Installation of LED Lights in Street 1”, “Installation of LED Lights in Street 2” etc. The Administrative Approval and Financial Sanction may be issued for the project as a whole but each sub project can be tendered separately. However, the sub projects cannot be split further. In the same project, the ULB is not permitted to include a sub project of drain construction or road repair, however.
- 2) A Development Authority may propose a project for water supply. The sub projects for this project could be “Construction of Water Intake”, “Construction of Clear Water Reservoir”, “Construction of Elevated Reservoir”, “Laying of house to house pipeline”, etc. However, this may not include a sub project of drain construction not connected to the project of water supply.

Annexure - A**DECLARATION**

Name of the work/project

Estimated cost

This is to declare that,

- 1) We undertake to mandatorily follow the e-tender procedure as prescribed in relevant orders issued by Finance Department of Government of West Bengal for selection of agency for execution of works and for selection of supplier for procurements, as the case may be.
- 2) We undertake to produce copies of system generated e-tender papers, comparative statement, work order, progress report in prescribed format and utilization certificate at the time of claiming second and subsequent installment.

- 3) This work has not been proposed/ submitted or taken up under any other fund of UD & MA department or any other department.
- 4) On completion of the scheme, I undertake to submit Completion Certificate along with utilization certificate for remaining installment.
- 5) We undertake to abide by the directions of FD from time to time regarding utilization of fund.

.....
 Mayor/Commissioner Corporation
 Chairperson/Executive Officer Municipality
 Chief Executive Officer / Executive Officer
 Development Authority

Dated

ACKNOWLEDGEMENT

To:

Mayor, Corporation
 Chairperson, Municipality
 Chief Executive Officer/Executive Officer, Development Authority

This is to acknowledge the receipt of your proposal for the work/ project along with DPR through your Memo numberdated Your project proposal has been given a Scheme ID No.

The DPR prima facie incorporates all documents and information to enable detailed scrutiny.

Kindly note that Administrative Approval (AA) & Financial Sanction (FS) shall be issued only after detailed scrutiny and government approval at appropriate levels.

.....
 Authorized Officer,
 DPR Checking Cell
 UD & MA Department

**Orders on Tenders Rules /
Purchase /Amendment of WBFR**

**Government of West Bengal
Finance Department
Audit Branch
Writers' Buildings**

No. 10500-F

Dated, Kolkata, the 19th November, 2004

NOTIFICATION

In exercise of the power conferred by Clause (3) of Article 166 of the Constitution of India, the Governor is pleased hereby to make the following amendments in the West Bengal Financial Rules, Volume-I, as subsequently amended (hereinafter referred to as the said Rules), namely:-

AMENDMENTS – C.S. NO. 106

in the said Rules, -

(1) for Rule 47, substitute the following Rule:-

47. (1) No contract shall be made by a subordinate authority which has not been directed or authorised to do so by or under the orders of the Governor in terms of Clause (1) of Article 299 of the Constitution. The Governor shall be made a party to every contract of the Government and the words “for and on behalf of the Governor of West Bengal” should follow the designation of the officer authorised in this behalf under Article 299 of the Constitution and executing the contract appended below his signature.

Note-1. - The various classes of contracts and assurances of property, authorised by the Governor in exercise of the powers conferred by Clause (1) of Article 299 of the Constitution which may be executed by different subordinate authorities of the Government are specified in the notification issued by the Judicial Department from time to time.

Note-2. - The limitations upon the powers of subordinate authorities, the condition under which such power should be exercised and the general procedure prescribed with regard to various classes of contracts and assurances of property, such as calling for and acceptance of tenders, etc. are laid down in Delegation of Financial Power Rules, 1977, and the appropriate Departmental regulations and orders.

(2) The following general principles shall be observed by all offices empowered to enter into contracts or agreements for obtaining supply and execution of works and services on behalf of the Government and involving expenditure from public fund: -

- (a) The terms of contract must be precise and definite and there must be no room for ambiguity or misconstruction therein.
- (b) The terms of the contract once entered into shall not be materially varied without the previous consent of the authority competent to enter into the contract and the reasons for the variation should be recorded. No payment to contractors by way of compensation or otherwise, outside the strict terms of the contract or in excess of the contract rates shall be authorised without the previous approval of the Finance Department.
- (c) No contract involving an uncertain or indefinite liability or any condition of an unusual character should be entered into without the previous consent of the Finance Department.

Where escalation in respect of labour overheads, customs duties, freight charges etc. is provided for in a contract the basis for the calculation of the same should be clearly indicated.

(3) **Liquidated Damage.** - All contracts should have a provision for recovery of liquidated damages for default on the part of the contract or unless any special instructions are issued by the “Competent Authority”.

Explanation. – “Liquidated Damage” shall mean losses or damages sustained by the Government for default on the part of the contractor either because of delayed supply or execution of works within the stipulated date or otherwise. It should be provided for in terms of a specific percentage of the total contract value of the supply or works for a day or week or month, as the case may be.

(4) “Cost Plus” contracts should be avoided except where these are unavoidable.

Explanation. - “Cost plus” contract shall mean a contract wherein the price payable for supplies or services under the contract is determined on the basis of the actual cost of production of the supplies or services concerned plus profit either at a fixed rate per unit or at a fixed percentage on the actual cost of production.

(5) (a) In the agreements for the execution of a work as a contract work, which should invariably be in writing, there should be a stipulation as to the quantity of work to be done and the time within which it is to be completed.

(b) These provisions shall apply, mutatis mutandis, for supplies also.

(6) In case of high value works, the contract deeds should be specially prepared in consultation with the Government law officers and as far as possible, the standard form of contract shall be used.

(7) Unless otherwise exempted by any special Rules or order of the Government, security in the form as prescribed in Rule 25 of these Rules, shall, in all cases, be taken for due fulfilment of a contract.

(8) Subject to Note-1 below, orders should be placed only after open tenders or quotations have been invited and in the cases where the lowest tender or quotation is not accepted, reasons should be recorded.

Note-1. – Subject to the special rules or order or procedure that may be prescribed by the Government in respect of a particular department, open tender shall invariably be invited for the supply of articles or stores or for execution of works and services worth Rs. 20,000=00 or more. Selection of agency should be made on the basis of at least three tenders or quotations, which shall be opened in presence of willing agents. If the number of tenders received is less than three, tender should be invited afresh. Cash transaction up to Rs. 500=00 may be made without any tender or quotation. Such transaction above Rs. 500=00 and up to Rs. 20,000=00 shall be made after inviting quotations from more than four to five reliable firms, which shall be opened in presence of willing agents. Notice for quotation shall be issued through notice board of the office, the offices of the Sub-Divisional Officers and the District Magistrates and the Panchayats, Municipalities, in respect of offices outside Kolkata. In Kolkata, such notice shall be displayed in the notice board of Local Offices sending the same to suppliers etc. Tender notice shall always be given due publication through the leading dailies in English, Hindi and Bengali. Such notice should be published through Information and Cultural Affairs Department. The limit prescribed herein applies to an article or a collection of articles more or less of one kind or obtained from one source. The use of intermediate general suppliers should be discouraged.

Note-2. – The head of the Office is authorised to purchase the supply fittings, sanitation and sewage plant fittings and parts for pumps, compressors, engine and motors in use in the water supply and conservancy work in the establishment, only in case of emergencies such as sudden failure of machines, etc. when it is not possible to make the purchases after calling tenders or quotations. A certificate should always be recorded in each such occasion over the signature of the head of the Office.

Note-3. – Food stuffs for the hostels attached to Government schools and colleges may be purchased from the open market, if it proves advantageous having regard to the price and quality of the articles and if the supplier fails to supply the essential items for hostels.

(9) (a) In selecting the tender to be accepted the financial status of the individuals and firms tendering shall be taken into consideration in addition to all other relevant factors.

(b) Sales Tax and Income Tax Clearance Certificate should be furnished by the contractors for contract value above Rs. 50,000=00.

(c) In the case of private individuals and firms tendering in foreign countries for contracts of large value, that is, contracts of over Rs. 25 Lakhs, the Head of the Indian Mission post concerned should be consulted.

(10) The Comptroller and Auditor General and under his direction other Audit authorities shall have power to examine contracts and to bring before the Public Accounts Committee any cases where competitive tenders have not been sought or high tenders have been accepted or where other irregularities have come to light. Authorities who are authorised to enter into contracts or agreements should send copies of all contracts and agreements valued over Rs. 1 Lakh to the Principal Accountant General (A & E), West Bengal, Principal Accountant General (Audit), West Bengal and Accountant General (Local Bodies Audit), West Bengal.

(11) (a) The terms of contract for the purchase of perishable stores should invariably include a separate warranty clause a model of which is given in the form appended hereunder. This form may, however, be modified to suit local conditions.

(b) It should be ensured that in all contracts where a warranty clause is included, the position regarding delivery of goods in replacement of rejected ones is made clear beyond doubt by adding the words “free of cost at the ultimate destination” after the words “by the purchaser” in the penultimate sentence of the said clause, where the incorporation of such a clause is not inconsistent with the other conditions of the contract.

(12) The question whether any sales tax, purchase tax, octroi and terminal taxes and other local taxes and duties are to be paid and if so, by which party, should be settled before entering into any contract involving transfer of movable property of any nature.

(13) No work should be done under an agreement/contract beyond the date of expiry of its tenure. Wherever it is considered that the work has to be continued beyond the date of expiry of the tenure, timely action should be taken for renewing the contract/agreement for the further period required, after a suitable review of the provisions of the old agreement/contract to see whether any modifications therein are required.

(14) Subject to provision of these rules and any other special rules, where open tender is not invited and purchase is affected by limited/short notice tenders the specific reasons for doing so should be recorded and the approval of the competent authority should be taken in writing, unless such action is taken in accordance with any instruction issued by the Government.

(2) After Rule 47, insert the following Rules: -

47A. Subject to the provisions of Rule 47(B), the State Government Departments/Directorates/Offices/Undertakings/Corporations/Organisations/Government Companies/Panchayats/Local Bodies shall adopt the following measures in the matter of making all purchases and executing of all works.

(1) All Registered SSI units of the State are to be given 15% price preference vis-à-vis large and medium scale Industrial Units and other SSI units located outside the State.

However, the Government shall have the power to exempt specific establishments which are required to run on commercial lines from the operation of price preference policy for all or specified purposes and also subject to such condition as may be specified. Registered S.S.I. Units of the State shall be exempted from payment of earnest money for tenders and such units, if selected, as per the principle mentioned hereinbefore shall be exempted from payment of security deposits.

(2) Subject to the provisions of Clause (c) of this sub-rule,

(a) all Industrial Undertakings/Organisations in the large/medium sector owned/managed by the State Government will be given 10% price preference over large and medium units within the State and outside and also SSI units of other States.

(b) State-based medium and large-scale units will be given 10% price preference over large and medium units and SSI units of other States.

(c) the price preference allowed under Clauses (a) and (b) are only for the purpose of selection, but once a unit is selected on the basis of such preferences it has to agree to execute the work or make supplies at the lowest valid price bid failing which orders will be placed with the organization/firm offering the lowest valid price.

Explanation: The term “State-based unit” means and includes the unit whose major manufacturing unit (if it has got more than one unit) is situated within the State or which has its manufacturing unit within this State. In the notices of the tenders/quotations in respect of purchases by all organisations directly or indirectly controlled by an administrative department of the Government (e.g. W.B.S.E.B., Zilla Parishad, Panchayat Samity, Municipality, Corporations, Undertakings, Statutory Bodies, D.G.A.H.C. etc.) the preferential purchase policy of the State should be incorporated, so that there may not be any difficulty in finalising purchases allowing the preference as desired by the Government.

(3) While accepting the products of the State-based institutes it should be clearly examined that the same are of ISI Standard (where such specification is required).

Note-1. – The following concessions may be allowed to M/s. Mackintosh Burn Ltd.:-

(i) The M/s. Mackintosh Burn Ltd. may be allowed 10% preference in rate vis-à-vis other organisations engaged in similar activities. Such preference shall, however, be given only for the purpose of selection, but once selected on the basis of such preference, M/s. Mackintosh Burn Ltd. shall have to execute the work at the lowest valid price bid received in the said process of selection, failing which orders will be placed with the organization/firm offering the lowest valid rate.

(ii) The Company may be exempted from submitting earnest money for all tenders from the Government of West Bengal, State Government Undertakings and Statutory Bodies, directly controlled by State Government.

(iii) Security deposit for all works controlled directly or indirectly by the State Government and executed by the Company may be limited to Rs. 1 Lakh.

Note-2. – The State Government Offices may, instead of going through tender or quotation purchase the products of the three production centres of the Refugee Relief and Rehabilitation Directorate, Government of West Bengal (viz. Uttarpara, Titagarh and Habra), provided their rates are comparable to the rates of similar articles of the West Bengal State Handloom Weavers’ Cooperative Society Ltd. and the West Bengal Handloom and Powerloom Development Corporation Ltd.

Note-3(a). – Where the Government Stationery Offices fail to supply the Stationery articles to the State Government Offices as per their indents, such articles may be purchased from the Co-operative Societies without obtaining quotations or inviting tenders. In Kolkata, Stationery articles can be purchased from Calcutta Wholesale Consumers’ Co-operative Society Ltd., the CONFED and all the subsidiary Consumer Co-operative Societies and from the Samabayika run by that Organisation. In the Districts and Sub-Divisions cash purchase of Stationery articles may also be made from the Wholesale Consumers/ Co-operative Societies and their subsidiary organisations. Such purchase will be made within the delegated powers of the respective heads of offices, heads of departments and other authorities as per provisions of the Delegation of Financial Power Rules, 1977.

Note-3(b). - The requisitioning department/office should reject any supply which is not in accordance with specification maintaining quality.

Note-4. - The Government may, in exceptional circumstances, allow purchases to be made from or work to be executed by a Public Sector Undertaking or a Statutory Body under the administrative control of the State Government after being satisfied about the reasonableness of the price or the rates offered.

47B. (1) Notwithstanding anything contained anywhere in these rules, purchases of the articles shown in the lists marked A-I, A-II, A-III, A-IV, A-V, A-VI, A-VII and A-VIII (vide Annexure-'A') appended hereunder shall be made by all State Government Departments/Directorates/Offices/Organisations from West Bengal Small Industries Development Corporation, West Bengal Khadi and Village Industries Board, West Bengal State Handloom and Powerloom Development Corporation Limited, West Bengal State Leather Development Corporation, West Bengal Handicrafts Development Corporation, West Bengal State Handicrafts Co-operative Society, West Bengal Comprehensive Area Development Corporation and Central Engineering Organisation, Dasnagar, Howrah respectively only and from no other source at a price fixed by those agencies which will formulate their own pricing policy keeping normal margin on account of profit and overhead expenses which should not exceed generally 10%. In order to ensure that the prices of various articles are fixed in accordance with these principles, the prices should be scrutinised by the respective administrative department of the organisations. The relevant provision of Rule 47(A) would be subject to the provision of Rule 47(B). The requisitioning Departments/Directorates/Offices/Organisations should not insist that deliveries be made by the agencies as mentioned above at places indicated by the Departments etc. The Departments etc. should be prepared to lift them from such places mutually agreed upon between the requisitioning Departments etc. and the supplying agencies.

(2) All Government Departments/Directorates/Offices/Organisations shall be required to purchase the articles (45 in numbers) mentioned in Annexure-'B' appended hereunder from Registered Small Scale Units only by inviting tenders/quotations in respect of these items. These Units will, however, have to compete amongst themselves. The Government, however, shall have the power to grant exemption from the above Rule in specific cases for good and sufficient reasons. The Government may include/exclude any item under Annexures-'A' & 'B' on recommendation from C. & S.S.I. Department and on the basis of such decision, these Annexures will be amended.

(3) (a) Indenting Offices should intimate the supply schedule of articles in a financial year to the supplying agencies as per Annexure-'A' within one month from the commencement of the financial year indicating the specifications, if any, desired with an intimation to C. & S.S.I. Department.

(b) Supplying agencies shall, on receipt of such indents with specifications, if any, confirm to the indenting offices adherence to the supply schedule within 15 days from the date of receipt of such indents.

(c) In case of failure of the Small Scale Units to supply articles within the stipulated period, the defaulting units may be black-listed by the concerned Department, after due consideration of the reasons for the delay.

(5) Supplying agencies in Annexure-'A' shall update price list of articles earmarked for supply by them whenever any change therein is unavoidably necessitated and intimate the same to the concerned indenting offices and to C. & S.S.I. Department.

(6) Supplying agencies in Annexure-'A' and SSI Units supplying articles in Annexure-'B' shall ensure maintenance of quality of their articles through periodical tests and maintain such test reports for inspection by indenting offices, if desired.

(7) Supplying agencies in Annexure-'A' and SSI Units supplying articles in Annexure-'B' shall be exempted from payment of earnest money for tenders and security deposit against supply of articles indented to them.

(8) Drawing and Disbursing Officers, while preferring bills on purchases of articles to Kolkata Pay & Accounts Offices/Treasuries in Districts, shall furnish a certificate on the body of the bills that purchases have been made in strict compliance of the stores purchase policy of the State Government and Pay & Accounts Officers/Treasury Officers shall, while scrutinizing the bills, ensure that such certificates are furnished.

Purchase of Duplicating machine, Calculators/Calculating machines, Typewriters for use in Government Offices and liveries for use of the Government employees shall continue to be governed by the Finance Department, Organisation and Methods Branch orders issued from time to time.

ANNEXURE – ‘A’**A-I : List of items to be supplied by West Bengal Small Industries Development Corporation Limited.**

- 1) Aluminium Utensil.
- 2) Can (made of G.P. sheets for milk and measuring).
- 3) Invalid Wheelchair.
- 4) Steel Furniture.
- 5) Electric Fan and Electrical Goods.
- 6) Bucket (G.I. & plastic).
- 7) Plastic Can/Container/Thali etc. and plastic goods.
- 8) Manhole cover.
- 9) Furniture.
- 10) Shoe polish and Metal Polish.
- 11) PVC pipe and tube.
- 12) Air Conditioner.
- 13) Paint.
- 14) Polythene sheet (tarpaulin).
- 15) Websi brand detergent & cake, bulb & battery.
- 16) Bitumen.
- 17) Exercise book.
- 18) Door and window frame.

A-II : List of items to be supplied by the Khadi & Village Industries Board, West Bengal.

- 1) Handmade Paper.
- 2) File cover and board with flap.

A-III : List of items to be supplied by (1) West Bengal State Handloom Weavers' Co-operative Society Ltd. (Tantuja) and (2) West Bengal Handloom and Powerloom Development Corporation Limited (Tantusree).

- 1) Cotton Hosiery.
- 2) Curtain cloth and Furnishing.
- 3) Duster.
- 4) Garments made of cotton, Polyester cotton (Terry cotton) and Polyester-Viscose (all types) including uniform for children and uniform for Police, Jails, Forests, Fire Services and other Departments.
- 5) Liveries for Drivers and Group-'D' employees.
- 6) Patients' coats and Pyjamas.
- 7) Surgical Dressing (Gauge & Bandage cloth).
- 8) Cotton tape.

- 9) Hospital linens-Dosuti, patra, Strecher cloth, Tikin, Towel, etc.
- 10) Mosquito netting.
- 11) Towel.
- 12) Bed sheet and Bed cover.
- 13) Saree.
- 14) Dhoti.
- * 15) Powerloom long cloth.
- * 16) Powerloom Markin.

* To be supplied by WBHPDCL only.

A-IV : List of items to be supplied by West Bengal State Leather Development Corporation Ltd. (Charmaja).

- 1) Attache case/bag.
- 2) Boots and shoes including ammunition boots and Officers' boots, gumboots.
- 3) Chappals and sandals.
- 4) Hand Gloves.
- 5) Leather suitcase.
- 6) Leather belt.
- 7) Bus & Tram Conductors' bag.
- 8) Football and Volleyball.
- 9) Jungle boot, Safety Miners' Boots of all types.

A-V : List of items to be supplied by the West Bengal Handicrafts Development Corporation Ltd. (Manjusha).

- 1) Knitted Woollen products.
- 2) Dhokra (Jute) Mats.
- 3) Coir Door-mat.
- 4) Waste Paper Basket.
- 5) Readymade Garment including School Uniform but excluding Uniform for Police, Jails, etc.
- 6) Gift item/handicraft items.
- 7) Woollen Carpet.
- 8) Woollen blanket.
- 9) Hospital linen items excluding gauge and bandage.

A-VI : List of items to be supplied by the West Bengal State Handicrafts Co-operative Society Ltd. (Bangasree).

- 1) Readymade Uniforms for Primary School children under District Primary School Councils.
- 2) Summer & Winter liveries for Group-'D' Staff/Drivers.
- 3) Gift items/handicraft items.
- 4) Handloom Sarees and Dhoties.
- 5) Hospital linen items excluding gauge and bandage.

A-VII :List of items to be supplied by the West Bengal Comprehensive Area Development Corporation.

- 1) Curtain Cloth.
- 2) Duster.
- 3) Liveries for Drivers and Group-'D' employees.
- 4) Bed Sheet and Bed Cover.
- 5) Knitted Woollen products.
- 6) Coir Door Mat.
- 7) Bags and pouches made of nylon, cloth and jute.

A-VIII : List of items to be supplied by the Central Engineering Organisation, Dasnagar, Howrah.

- 1) Machining and Fabrication job.
- 2) Ferrous and non-ferrous casting.
- 3) Industrial Fastener etc.
- 4) Repair and maintenance of hospital equipments and furniture.

ANNEXURE – 'B'**List of items to be procured directly by Government Departments/Corporations and Statutory Bodies from the registered Small Scale Units.**

- 1) Registers and Exercise Books.
- 2) Rubber Hose Pipe.
- 3) Wax Candle.
- 4) Writing ink & Fountain Pen Ink.
- 5) Office Gum Paste.
- 6) Flooring Tile.
- 7) Conduit Pipes.
- 8) Stone Chips.
- 9) Dustbin.
- 10) Steel Window & Ventilator – Metallic.
- 11) Rolling Shutter.
- 12) Building Hardware.
- 13) Surgical Gloves.
- 14) Expanded Metal.
- 15) Voltage Stabilizer.
- 16) P.V.C. Cable & Wires.
- 17) Electrical Light Fitting Choke.
- 18) Metal Clad Switch.
- 19) Sports Goods.
- 20) Brushes (Paint).
- 21) Domestic Electrical Appliances.
- 22) Scientific Laboratory Glassware.
- 23) Tyre & Tube (Cycles).
- 24) Steel Trunk.
- 25) Tarpauline.
- 26) Readymade Garments.
- 27) Cotton/Woollen Socks.
- 28) R.C.C. Pipe.
- 29) Liquid/Laundry Soap.
- 30) Wood Screw.
- 31) Wire Nail and Horse Shoe Nail.
- 32) Drawing and Mathematical Instruments.
- 33) Lamp Holder.
- 34) Drums & Barrel.

- 35) A.C.S.R. & A.A.C. Conductor.
- 36) Glass Ampoule (Distilled Water).
- 37) Wooden Packing case.
- 38) Wire Netting.
- 39) Electric Call Bell.
- 40) Wall Clock.
- 41) Office Stationery (like Gems Clip, Pin, Pin Cushion, Table top Glass, Paper Weight).
- 42) Agricultural Tools and Implements (like/including Kodali, Prunning knife, duster/sprayer etc.).
- 43) Personal Weight machine/Bathroom scale (for weighing) [used by Doctor/Hospital/Nursing Home].
- 44) Circular hanging spring balance upto 200 kgs.
- 45) Fire Extinguisher.

By order of the Governor

Sd/- *Samar Ghosh*

Principal Secretary to the
Government of West Bengal.

MODEL FORM OF WARRANTY CLAUSE**(See Clause 11(a) of Rule 47 of W.B.F.R. – I)**

The contractor/seller hereby declares that the goods/stores/articles sold to the buyer under this contract shall be of the best quality (and workmanship) and shall be strictly in accordance with the specifications and particulars contained/mentioned in the clause _____ hereof and the Contractor/seller hereby guarantees that the said goods/stores/articles would continue to conform to the description and quality aforesaid for a period of _____ days/months from the date of delivery of the said goods/stores/articles to the Purchaser and that notwithstanding the fact that the Purchaser (Inspector) may have inspected and/or approved that said goods/stores/articles, if during the aforesaid period of _____ days/months the said goods/stores/articles be discovered not to conform to the description and quality aforesaid or have deteriorated (and the decision of the Purchaser in that behalf will be final and conclusive) the Purchaser will be entitled to reject that said goods/stores/articles or such portion thereof as may be discovered not to conform to the said description and quality. On such rejection the goods/articles/stores will be at the Seller's risk and all the provisions herein contained relating to rejection of goods etc. shall apply. The contractor/seller shall, if so called upon to do, replace the goods etc. or such portion thereof as is rejected by the Purchaser otherwise the contractor/seller shall pay to the purchaser such damages as may arise by reason of the breach of the condition herein contained. Nothing herein contained shall prejudice any other right of the Purchaser in that behalf under this contract or otherwise.

No. 10500/1(500)-F

Dated, Kolkata, the 19th November, 2004.

Copy forwarded for information to:-

1. The Accountant General (A & E),
West Bengal,
Treasury Buildings,
Kolkata – 700 001.

2. The Principal Accountant General (Audit), West Bengal,
Treasury Buildings,
Kolkata – 700 001.

3. The Accountant General (Local Bodies Audit), West Bengal,
C.G.O. Complex, 3rd MSO Building,
5th Floor, DF Block, Salt Lake,
Kolkata – 700 064.

4. The Commissioner,
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5. The Principal Secretary/Secretary,
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6. The Director,
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7. The Collector, Kolkata,
11, N.S. Road,
Kolkata – 700 001.

8. The District Magistrate,
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9. The District Judge,
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10. The Financial Adviser,
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11. The Superintendent of Police,
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12. The Sub-Divisional Officer,
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13. The Accounts Officer,
West Bengal Secretariat,
Writers' Buildings,
Kolkata – 700 001.

14. The Accounts Officer,
West Bengal Secretariat,
Bikash Bhavan,
Bidhannagar,
Kolkata – 700 091.

15. The Pay & Accounts Officer,

Kolkata Pay & Accounts Office-I,
Civil Defence Building,
81/2/2, Phears Lane,
Kolkata – 700 012.

16. The Pay & Accounts Officer,

Kolkata Pay & Accounts Office-II,
Johar Building,
P-1, Hyde Lane,
Kolkata – 700 073.

17. The Superintendent,

West Bengal Government Press,
Alipore,
Kolkata – 700 027.

18. The Treasury Officer,

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.....
.....

19. The Principal,

Industrial Training Institute,
.....
.....

20.Branch / Group..... of Finance Department.

Sd/-

(P.K.Guba Roy)

Special Secretary to the
Government of West Bengal.

Government of West Bengal**Finance Department****Audit Branch****Writers' Buildings****No. 5400 - F(Y)****Dated. Kolkata, the 25th June. 2012.****NOTIFICATION**

In exercise of the power conferred by Clause (3) of Article 166 of the Constitution of India, the Governor is pleased hereby to make the following amendments in the West Bengal Financial Rules. Volume-1. and in partial modification of Notification No. 10500-F dated 16th November 2004. (hereinafter referred to as the said Rules), namely: -

AMENDMENTS

In the said Rules. -

(1) for sub-rules 8, 9 and 10 of Rules 47 substitute the following sub-Rules:-

Rule 47(8) - Subject to Notes-1 to 5 below, orders should be placed only after open tenders or quotations have been invited and in the cases where the lowest tender or quotation is not accepted, reasons should be recorded under signature of the officer in charge of purchase.

Note 1 - Subject to the special rules or order or procedure that may be prescribed by the Government in respect of a particular department, open tender shall invariably be invited for the supply of articles or stores or for execution of works and services worth Rs. 1,00,000=00 or more. For high-value purchase exceeding Rs.10 lakh or for purchasing plant, machinery, etc. of complex and technical nature, bids may be invited in two parts under two-bid system laid down in rule 47C below. Selection of agency should be made on the basis of at least three tenders, which shall be opened in presence of willing agents. If the number of tenders received is less than three, tender should be invited afresh. In case of invitation of tender under two-bid system, if the number of tenderers/bidders qualified in the technical bid is less than three, tender should be invited afresh, purchase up to Rs. 10,000=00 may be made without any tender or quotation. The purchasing authority shall certify that the purchase has been made at reasonable market price in cases of purchase from the open market without tender/quotation. Purchase above Rs. 10,000=00 and upto Rs. 1,00,000=00 shall be made after inviting quotations from at least four reliable Firms, which shall be opened in presence of willing agents. In such cases of purchase by invitation of quotation, procurement shall be finalised on recommendation of Local Purchase Committee to be constituted in each office. In respect of offices outside Kolkata, the notice for quotation shall be issued through notice board of the concerned office, the offices of the District Magistrate and the Sub-Divisional Officer and the Panchayat, Municipality of that locality. In Kolkata, such notice shall be circulated by displaying in the notice board of Local Offices and by sending the same to suppliers etc.

Note 2 - Tender notice shall always be given due publication through the leading dailies in English, Hindi and Bengali. The use of intermediate general suppliers should be discouraged. Open tender for supply of articles or stores or for execution of works worth Rs. 1,00,000/- or more shall be invited in the following manner:

SI. No.	Item	Manner of Tender
i.	For supply of articles or stores or for execution of works and services with estimated value exceeding Rs. 10,000 upto Rs. 1 lakh.	Publication of the work on the notice board and on the official website of the administrative department, if maintained.
ii.	For supply of articles or stores or for execution of works and services with estimated value exceeding Rs.1 lakh upto Rs.5 lakh.	Publication of the work on the notice board and on the website of the administrative department, if maintained and also brief referral advertisement in one daily Bengali newspaper [in case of hill areas of Darjeeing District in Nepali newspaper.]
iii.	For supply of articles or stores or for execution of works and services with estimated value exceeding Rs. 5 lakh upto Rs.10 lakh.	Publication of the work on the notice board and on the website of the administrative department, if maintained and also brief referral advertisement in two daily newspapers, one in Bengali [in case of hill areas of Darjeeing District in Nepali newspaper] and the other in English.
iv.	For supply of articles or stores or for execution of works and services with estimated value exceeding Rs. 10 lakh.	Publication of the work on the notice board and on the website of the administrative department, if maintained, and also in the official website of Government of West Bengal, and also brief referral advertisement in three daily newspapers, one each in Bengali [in case of hill areas of Darjeeing District in Nepali newspaper], in English and in Hindi.
Explanation : Brief referral advertisement will contain only certain title information such as name and location of the scheme, last date for submission of tender, names of the websites where details are available.		

The administrative departments are permitted to issue advertisements directly to the newspapers having sufficient circulation for the said purpose of procurements, wherever necessary, at the rates approved by the Information & Cultural Affairs Department, Government of West Bengal.

For Tender value of Rs. 50 lakh and above, e-tendering through the centralized e-Tender Portal [<http://wbtenders.gov.in>] is mandatory, in addition to publication in print media.

Note-3 - A minimum period, as slated below, shall be allowed for submission of the tenders from the final publication date.

SI. No.	Item	Minimum period for submission of tender from the last date of publication
a.	For supply of articles or stores or for execution of works and services with estimated value not exceeding Rs. 10 lakh.	7 days

SI. No.	Item	Minimum period for submission of tender from the last date of publication
b.	For supply of articles or stores or for execution of works and services with estimated value exceeding Rs.10 lakh upto Rs. 1 Crore.	14 days
c.	For supply of articles or stores or for execution of works and services with estimated value exceeding Rs.1 Crore.	21 days

Note-4. - The head of the Office is authorised to purchase the supply fittings, sanitation and sewage plant fittings and parts for pumps, compressors, engine and motors in use in the water supply and conservancy work in the establishment, only in case of emergencies such as sudden failure of machines, etc. when it is not possible to make the purchases after calling tenders or quotations. A certificate should always be recorded in each such occasion over the signature of the head of the Office.

Note-5. - Food stuffs for the hostels attached to Government schools and colleges may be purchased from the open market, if it proves advantageous having regard to the price and quality of the articles and if the supplier fails to supply the essential items for hostels.

Rule 47(9) (a) In selecting the tender to be accepted the financial status of the individuals and firms tendering shall be taken into consideration in addition to all other relevant factors. Subject to the provisions of rule 47C below where tender is invited in two-bid system, financial bid should not be opened until the technical bid is opened and assessed for selection of the qualified bidder.

(b) Sales tax and Income tax Clearance Certificate should be furnished by the contractors for contract value above Rs. 50,000=00.

(c) In the case of private individuals and firms tendering in foreign countries for contracts of large value, that is contracts of over Rs. 25 Lakh, the Head of the Indian Mission post concerned should be consulted.

Rule 47(10) - The Comptroller and Auditor General and under his direction other Audit authorities shall have power to examine contracts and to bring before the Public Accounts Committee any cases where competitive tenders have not been sought or tenders other than 14 or 111, as applicable, have been accepted or where other irregularities have come to light. Authorities who are authorised to enter into contracts or agreements should send copies of all contracts and agreements valued over Rs. 5 Lakh to the Principal Accountant General (A&L), West Bengal, Principal Accountant General (Audit), West Bengal and Accountant General (Local Bodies Audit), West Bengal.

(II) for sub-rules (7) and (8) of Rule 47B insert / substitute the following sub-rules -

Rule 47B. (7) Materials for which the Director General of Supplies and Disposals (DGS&D) and National Informatics Centre Services Incorporated (NICSI) rate contracts are available can be purchased directly from the enlisted agencies of DGS&D and NICSI at approved rate contracts.

(8) Drawing and Disbursing Officers, while preferring bills on purchases of articles to Kolkata Pay & Accounts Offices/Treasuries in Districts, shall furnish a certificate on the body of the bills that purchases have been made in strict compliance of the stores purchase policy of the State

Government and Pay & Accounts Officers/Treasury Officers shall, while scrutinizing the bills, ensure that such certificates are furnished.

Purchase of Duplicating machine, Computer and peripherals, printers, photocopiers and other office equipments for use in Government Offices and liveries for use of the Government employees shall continue to be governed by the finance department orders issued from time to time.

(III) after rule 47B insert the following rules -

Rule 47C - Two-bid System - For high value purchase exceeding Rs. 10 lakh or for purchasing plant, machinery, equipments etc. of complex and technical nature, bids shall be invited in two parts as under:

- (a) The technical bid consisting of all technical details along with commercial terms and conditions
- (b) Financial bid indicating item-wise price for the items mentioned in the technical bid.

The technical bid and the financial bid should be sealed by the bidder in separate cover duly superscribed and both the sealed covers are to be put in a bigger cover which should also be sealed and duly superscribed. The technical bids shall be opened by the purchasing department/office at the first instance and evaluated by a competent committee or authority. At the second stage, financial bids of only the technically acceptable offers shall be opened for furnishing value and ranking before finalization and awarding of the contract. After evaluation the lowest rate (1.1) financial bid from among the technically qualified bidders shall be accepted.

Rule 47D -(1) (a) State Government Corporations and Autonomous Bodies, listed in Annexure- 'C' may be nominated for execution of Government works as agency of the Government.

(b) Central organizations / Public Sector enterprises / Companies / Undertakings specialized in construction of roads, bridges, buildings etc.. and listed in **Annexure - 'D'** may also be engaged as agency for the purpose of State Government works.

(2) Action to engage these organizations by the Departments should be to supplement the function of Public Works Department of the Government and resorted to in cases where the departments consider that the work is of urgent nature. The Department should satisfy itself that it will be economical and in public interest to engage such Organization for Agency function.

(3) The various procedural matters as laid down in Public Works Department codes, manuals etc. as well as the rules prescribed herein shall be equally applicable for the purpose of execution of works through the State and Central Organizations as mentioned at clause (i) above. The organizations nominated as the State Government agency shall execute the entrusted works after engagement of contractors to be selected observing the normal tendering procedure and accepting the L1 rate when the job involves making payment for jobs done and H1 rate when the tender is for sale of materials connected with execution of the entrusted works.

(4) The agency fees to be allowed and terms and conditions of the Contract/Memorandum of Understanding (MOU) to be entered into with the agency are as follows:

- (a) The Contract/MOU may be for composite works and may be a combination of "Lump Sum Contract" and "Percentage Rate Contract"/ "Item Rate Contract". Estimated Cost

shall be based on Public Works Department Schedule of Rates for the scheduled items of work and market rate as approved by the head of the Engineering wing of the Agency organization for the non-scheduled items of work. Component-wise break-up of the agency fee is given at clause (6) below.

- (b) (i) The nominated agency organization will first prepare a forecast estimate of cost of the work on the basis of standard unit cost as per the State Public Works Department Schedule of Rates in case of works within the State and Central Public Works Department Schedule of Rates in case of works outside the State on the basis of preliminary drawings of the work supplied by the concerned department of the State Government or prepared by the agency, if asked to do so, and submit it to the employing department of the Government to enable it to obtain Administrative Approval for the work at appropriate level. On receipt of the Administrative Approval for the concerned work indicating scope of the work and approximate cost, the concerned agency organization will prepare the detailed cost estimate of the work on the basis of drawings received from the employing department of the government or prepared by the organization itself, as the case may be, and send it to the employing department of the Government for acceptance.
- (b) (ii) **All projects with the estimated cost of Rs. 5 crore and above shall be vetted by a duly constituted Technical Committee in the Finance Department.**
- (c) Drawing and design by the Department -
- i) In cases where work is to be executed as per design and drawing of the department all the detailed working drawings, both architectural and structural must be prepared before hand and should form part of the preliminary documents to be given to the selected organization. It should also contain complete and detailed specifications of the work. The preliminary documents must set out complete scope of the work. Only the drawings and the detailed specifications as contained and/or referred to in the preliminary documents shall form the basis of execution and payment.
- ii) The extra payment or recovery over and above the accepted rate shall be called for only in the event of authorized deviations from the drawings and specifications (as given and/or referred to in the preliminary documents) in course of execution and not otherwise.
- (d) Drawing and design by the agency -
- i) In cases where the detailed architectural and structural drawings are to be provided by the agency, all information regarding the work to be executed through the Agency Organisation such as the architectural and structural parameters, details of the functional requirement and complete specification thereof, as available, must be passed on by the concerned Department to the Agency Organisation. The Agency Organisation shall prepare the preliminary documents of the work to be executed through Agency Organisation. The preliminary documents must contain complete and detailed specifications of the work, working drawings, both architectural and structural and should set out complete scope of the work. Only the drawings and the detailed

specifications as contained and/or referred to in the preliminary documents shall form the basis of execution and payment.

ii) A condition should be stipulated in the preliminary documents that the work shall be executed through the Agency Organisation as per detailed design and architectural drawings to be prepared by the agency conforming to the given parameters and functional requirements as mentioned in the preliminary documents, and submitted to the employing department within specified time after the award of work. The agency shall accordingly get the design/drawings approved by the employing department before taking up the execution of the work.

iii) In case any modification for any reason is ordered in course of execution suitable adjustment for extra payment or recovery shall be effected only if such modification results in change in the scope of work as given in the preliminary documents, or any change from the specified parameters.

e) I) The composite works offer documents shall contain:

i) the detailed architectural and structural drawings.

ii) detailed specifications for the various items and components of the work.

iii) the schedule of quantities for the various items and components of the work.

iv) the inclusions in and exclusions from the scope of the contract, if required, for better clarity,

and

v) monitoring and supervision of the various stages of work, the percentage of work done on the contract value and release of intermediate and final payments.

II) The schedule of quantities referred to above is only limited for the purpose of assessing the quantum of work involved. It is not meant for subsequent measurement and payment in the course of execution of the work. Deficiencies noticed, if any, by the agency should be immediately brought to the notice of the employing department, who shall examine the same, and make necessary corrections, if required, to the offer documents before assignment of the work.

III) The agency organization shall arrange for execution of the work through the contractor as per the drawings and specifications as given in the documents. No claim for any payment on account of deviations and variations in quantity of any item(s) or components of the work, unless they are authorized deviations from the parameters drawings and specifications contained in the documents.

IV) The rate of deviated items shall be determined as per terms and conditions of Contract/MOU between the agency organization and the employing Government department.

V) The concerned Agency Organisation shall monitor, supervise and physically verify that the work has been done in each stage in conformity with the drawings and specifications contained in the offer/preliminary documents, and certify the same before recommending release of the stage payment.

(5) The agency job will be broken into following components: -

i) preparation of estimate, design and detailed drawing

ii) invitation of tender, evaluation of bids and award of work

iii) supervision of work, checking of bills, payment and submission of utilization certificate, completion certificate

(6) Agency Fee

Component-wise agency fee will be as follows:

A. For buildings above G+3, buildings with basements and roads and bridges

i) For preparation of estimate, design and detailed drawing

* 3% of estimated cost for exclusive and customized drawing and design

* 2% of the estimated cost for standard drawing and design

(at least 5 sets each of the documents under this component should be submitted)

ii) invitation of tender, evaluation of bids and award of work

* 2% of estimated cost of the works

iii) supervision, monitoring, checking of bills, payment and submission of utilization certificate, completion certificate

* 3.5% of estimated cost of the works.

Thus the agency fee comes to 8.5% of sanctioned cost estimate in case of works involving exclusive and customized drawing and design and 7.5% of sanctioned, cost estimate in case of works involving standard drawing and design.

B. for buildings upto CH-3 (without basement) for (i) exclusive and customized design and drawings and (ii) standard design and drawings.

5% of estimated cost for all the components taken together.

The rate of deviated items shall be determined as per terms and conditions of Contract/MOC between the agency organization and the employing Government department. No contingency overhead charge shall be payable other than the 8.5% / 7.5% / 5% as mentioned hereinabove.

(7) Qualified Staff - In case project cost exceeds Rs.1 crore but within Rs.5 crore at least one qualified Graduate Engineer along with two Diploma Engineers should be engaged in supervision and monitoring of the job. In case of project cost exceeding Rs.5 crore requisite number of qualified and experienced Graduate Engineers along with Diploma Engineers should be engaged according to the value of the project for proper supervision and monitoring of the work.

(8) Specifications - In case of absence of specifications for any job in the State Public Works Department Code/Manual, the Central Public Works Department specifications should be followed.

(9) Mobilization Advance- Mobilization advance not exceeding 10% of the sanctioned estimated cost may be given, if requested by the agency organization in writing within one month of the order to commence the work. Such advance shall be in two or more installments to be determined by the competent authority of the employing department at his/her sole discretion.

By order of the Governor

Sd. /- *H. K. Dwivedi*

Secretary to the
Government of West Bengal

No. 5400/1 (250) - F(Y)**Kolkata. the 25th June. 2012.**

Copy forwarded for information and necessary action to :-

1. The Principal Accountant General (A&L), West Bengal. Treasury Buildings. 2, Govt. Place (West). Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal. Treasury Buildings. 2. Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit). West Bengal. C.G.O. Complex. 'C Fast Wing. 5th Floor. Salt Lake. Sector-I. Kolkata-700 064.
4. The Additional Chief Secretary/Principal Secretary/Secretary.
.....Department.
5. The Director of Treasuries & Accounts. West Bengal. The New India Assurance Building, 4.1, 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, Ist Floor, Salt Lake. Sector - III, Kolkata - 700 106.
12. The Treasury Officer
13.
14. The Principal Accounts Officer & Ex-Officio Deputy Secretary, finance (Budget) Department, for uploading this Notification in the Finance Department website.



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

ANNEXURE-C

(See Rule 47D)

State Bodies and Corporations

1. West Bengal Industrial Infrastructure Development Corporation
2. Mackintosh Burn Ltd.
3. Britannia Engg. Ltd.
4. Wasting House Saxby Farmer
5. Hooghly River Bridge Commissioners
6. Development Authorities under Urban Development Department.
7. Other State Organizations/Corporations to be selected by the State Government from time to time

ANNEXURE-D

(See Rule 47D)

Central Organizations/Public Sector Enterprises/Companies/undertakings :

1. Central Public Works Department
2. National Building Construction Corporation (NBCC)
3. RITES
4. IRCON International Limited [formerly Indian Railways Construction Company Ltd.)
5. Bridge & Roof
6. Balmer Lawrie
7. HSCL (Hindustan Steelworks Construction Limited)
8. EIL [Engineers India Limited)
9. Other Central Organizations/Corporations to be selected by the State Government from time to time

Government of West Bengal
Finance Department
Audit Branch

No.8183-F(Y)

Kolkata, the 26th September, 2012

MEMORANDUM

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

In Annexure-D after serial No. 9

“10. “Engineering Projects (India) Limited.”

2. In connection with para (II), rule 47B(7) of the aforesaid Notification the rates of various items under rate contract of the Director General of Supplies & Disposals [DGS&D], Government of India can be viewed at their website www.dgsnd.gov.in.
3. After issuance of the aforesaid Notification various clarifications have been sought by different Departments regarding the appointment of Government Agency for execution of work in terms of rule 47D. In order to clear the confusions over scope of Rule 47D included in the Finance Department Notification no. 5400- F(Y) dt.25.6.2012, the undersigned is directed to issue the following clarifications:
 - (I) Under Rule 47D, Administrative Departments, other than the Works Departments of the State Government viz. Public Works Department, Irrigation & Waterways Department, Public Health Engineering Department, Housing Department etc., can engage Government Agency on nomination basis from the list appended as Annexure and Annexure XD of the aforesaid notification.
 - (II) the Administrative Department, other than Works Department, can engage an Agency for assisting it in the execution of works only when the Departmental Secretary is satisfied that the Works Department of the State Government is not in a position to execute the job within the required timeframe.
 - (III) The Government Agency shall perform the job like Works Department at the fees prescribed in the above mentioned Notification.
 - (IV) the Agency so engaged by the Administrative Department shall not execute the work on its own and has to get the work executed by a contractor to be selected through a transparent tendering process. Also, it cannot bid for the work for which it has been engaged to perform the agency functions.
 - (V) The Department/ Office appointing such Government Organisation as “Agency” for execution of work shall enter into an agreement/Memorandum of Understanding [MoU] with that Organisation in this regard.
 - (VI) Normally, the Agency shall perform the following jobs on behalf of the Administrative Department:

- (a) Prepare the Drawing & Design including detailed architectural and structural drawings and specifications of the works as per standard code of the Bureau of Indian Standard [BIS/Indian Road Congress [IRC].
 - (b) Submit the Drawing & Design including detailed architectural and structural drawings and specifications of the works to the concerned Department/Office for Administrative approval.
 - (c) After getting Administrative Approval, prepare the detailed cost estimate and detailed specification of works as per schedule of rates of the P.W. Department for 'schedule' items and market rate for 'non-schedule' items. Submit the detailed cost estimate for administrative and financial approval of the Department.
 - (d) After getting administrative and financial approval for the project from the Administrative Department, invite tender observing the existing rules and procedures of the State Government. Select the LI rate in case of procurement and HI rate in case of sale/disposal.
 - (e) Enter into agreement with the selected contractor for detailed execution of work and terms of payment.
 - (f) Execute the works through the selected Contractor. Monitor and supervise the works in order to ensure that the work conform to specifications and drawings.
 - (g) (i) Verify the running account bill of the contractor, (ii) raise a summary bill along with a 'certificate on work done conforming to specification and quality' on the basis of that running account bill, and (iii) submit the bill with certificate as at (ii) to the employing Administrative Department for payment. All payments to the contractor shall be routed through the Agency.
 - (h) Bill for Agency Fee shall be raised separately.
 - (i) Submit completion certificate for the completed works immediately after its full execution,
- (VII) The Administrative Department shall make a primary verification of the claim with reference to work done and scrutinise the Bills for Agency fee and charges for work done. After satisfaction about the claim, the Administrative Department shall process the bill of the Agency for payment through Treasury/Pay & Accounts Office using Contingency Bill Form [T.R. Form No. 26] along with the sub-voucher of the Agency and work done certificate.
- (VIII) On the basis of the completion certificate the Administrative Department shall make necessary entry of such fixed asset of the State Government in the Fixed Asset Register of the Department.

Sd/-

[H. K. Dwivedi]

Secretary to the
Government of West Bengal

No.8183/1 (100)-F(Y)**Kolkata, the 26th September, 2012.**

Copy forwarded for information and necessary action to:-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit), West Bengal, C.G.O. Complex, 'C' East Wing, 5th Floor, Salt Lake, Sector-I, Kolkata-700 064.
4. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department.
5. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata - 700 001.
6. The Commissioner,
7. The District Magistrate,
8. The Sub-Divisional Officer,
9. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - I,
81/2/2, Phears Lane, Kolkata - 700 012.
10. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II,
P-1, Hyde Lane, Kolkata - 700 012.
11. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III,
IB Market, 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.



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

Government of West Bengal
Finance Department
Audit Branch

No.8648-F(Y)

Kolkata, the 12th October, 2012

MEMORANDUM

The West Bengal Financial Rules provided for preferential treatment by way of 10% price preference to the State Government organizations, namely, M/s. Mackintosh Burn Ltd., M/s, Britannia Engineering Ltd., and M/s. Westinghouse Saxby Farmer Ltd., vide Note-1 below sub-rule (3) of rule 47 A of West Bengal Financial Rules. Note-1 below sub-rule (3) of rule 47A reads as follows:-

Note-1. - The following concessions are allowed to M/s. Mackintosh Burn Ltd., M/s. Westinghouse Saxby Farmer Ltd., and M/s. Britannia Engineering Ltd. :-

- (i) M/s. Mackintosh Burn Ltd., M/s. Westinghouse Saxby Farmer Ltd., and M/s, Britannia Engineering Ltd. shall be eligible to be allowed 10% preference in rate vis-i-vis other organizations engaged in similar activities. Such preference shall, however, be given only for the purpose of selection, but once selected on the basis of such preference, the companies shall have to execute the work at the lowest valid price bid received in the process of selection, failing which orders will be placed with the organization/firm offering the lowest valid rate;
- (ii) The Companies shall be exempted from submitting earnest money for all tenders from the Government of West Bengal, State Government Undertakings and Statutory Bodies, directly controlled by the State Government;
- (iii) Security deposit for all works controlled directly or indirectly by the State Government and executed by the Companies shall be limited to Rs. 1 Lakh.

2. The withdrawal of the preferential treatment given to the State Government organizations, mentioned above, has been under consideration of the Government for some time now. Therefore, the undersigned is directed by order of the Governor to withdraw the preferential treatment earlier given to M/s. Mackintosh Burn Ltd., M/s. Westinghouse Saxby Farmer Ltd., and M/s. Britannia Engineering Ltd, and make the following amendment in Rule 47A of West Bengal Financial Rules:

Note - 1 below sub-rule (3) of Rule 47A is deleted.

3. This order will take immediate effect. Necessary amendment in West Bengal Financial Rules will be made in due course.

Sd/-

(H. K. Dwivedi)

Secretary to the
Government of West Bengal

No. 8648/1(200) -F(Y).**Kolkata, the 12th October, 2012**

Copy forwarded for information and necessary action to:~

1. Sr. P.A. to Chief Secretary, Government of West Bengal.
2. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
4. The Accountant General (R.W. & L.B. Audit), West Bengal, C.G.O. Complex, 'C' East Wing, 5th Floor, Salt Lake, Sector-I, Kolkata-700 064.
5. The Additional Chief Secretary/Principal Secretary/Secretary , Department, Govt, of West Bengal.
6. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata - 700 001.
7. The State Information Officer, National Informatics Centre, Bidyut Bhaban, Ground Floor, D.J. Block, Sector-II, Salt Lake, Kolkata-700 091
8. The Director, Directorate.
9. The Commissioner,
10. The District Magistrate,
11. The Sub-Divisional Officer,
12. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - I, 81/2/2, Phears Lane, Kolkata - 700 012.
13. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-1, Hyde Lane, Kolkata - 700 012.
14. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III IB Market, 1st Floor, Salt Lake, Sector -III, Kolkata - 700 106.
15. The Treasury Officer,
16. The Principal Accounts Officer & Ex-Officio Deputy Secretary, Finance (Budget) Department, for uploading this Notification in the Finance Department website.



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

Government of West Bengal
Finance Department
Audit Branch

No.9754-F(Y)

Kolkata, 3rd December, 2012

MEMORANDUM

Laying down the procedure of re-tender has been engaging attention of the Government for some time past since the existing Tender rule of the State Government does not stipulate any such procedure. Various Government Departments and offices are frequently enquiring about the same. In these circumstances, it is felt necessary to prescribe the re-tender procedure and number of times it may be resorted to in case of the number of qualified bidders falling below three. Now, therefore, the Governor is pleased to prescribe the following procedure of re-tender :

1. If the response to Tender (including e-Tender) is less than three, then Tender should be invited afresh in terms of note 1 below rule 47(8) of West Bengal Financial Rules as amended by this department notification no. 5400-F(Y) dt.25.6.2012 . Such Re-Tender notice shall be published in widely circulated dailies for conventional Notice Inviting Tender (NIT) and also through e-Tender portal in case of e-Tender. Prior to invitation of Re-Tender or fresh Tender the eligibility criteria and other terms & conditions as contained in the first 'Notice Inviting Tender' shall have to be reviewed by the Tender Inviting Authority to ascertain whether (i) it was too much restrictive, say, specifications and qualifications were fixed at higher standard than required, (ii) advertisements in the widely circulated Newspapers were properly published and (iii) other related procedural matters were observed in its entirety. Even if, after taking appropriate steps, the response to the Re-Tender is less than three, that tender may be accepted without reference to the Finance Department, provided the rates do not exceed the estimated or the schedule rates beyond 5% in case of works estimate and reasonable prevailing market price for goods and service in other cases. Otherwise, such cases should be referred to the Finance Department for decision.
2. The Tender Inviting Authority shall maintain a 'Tender Register' in the proforma as enclosed in Annexure-1.

This order shall take immediate effect.

West Bengal Financial Rules will be amended to incorporate the above provisions in due course.

Sd/- H. K. Dwivedi

Secretary to the
Government of West Bengal
Finance Department

No. 9754/1 (100) -F(Y)**Dated :03.12.2012**

Copy forwarded for information and necessary action to:-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit), West Bengal, C.G.O. Complex, 'C' East Wing, 5th Floor, Salt Lake, Sector-I, Kolkata-700 064.
4. The Additional Chief Secretary/Principal Secretary/Secretary, Department.
5. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata - 700 001.
6. The Commissioner,
7. The District Magistrate,.....
8. The Sub-Divisional Officer,
9. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - I, 81/2/2, Phears Lane, Kolkata - 700 012.
10. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-1, Hyde Lane, Kolkata - 700 012.
11. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 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.



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

GOVERNMENT OF WEST BENGAL**Finance Department****Audit Branch****No. 10184-F(A-II)****Dated, the 13th December, 2012****NOTIFICATION****Sub.: Administrative and financial approval for the projects
on land involving inter-departmental transfer.**

The procedure of inter-departmental transfer of Govt. land from one Department of the State Govt. to another is governed by Rule 469 of the West Bengal Land & Land Reforms Manual, 1991. The extract of the Rule is given as under:

“469 (i) Proposals for transfer of Government land from one department of the State Government to another should be submitted through Divisional Commissioner to Government in the department to which transfer is proposed along with objects and condition of the proposed transfer, particulars of the area, market value and estimated yearly rental.

(ii) If the administrative department approves the proposal, it will first consult the department from which land is proposed to be transferred. The proposals with the concurrence of the department owning the land will be sent to the Land & Land Reforms Department. The Land & Land Reforms Department will return the case to the administrative department with the memorandum sanctioning the transfer of the land and stating conditions of transfer, if any. The administrative department will then send a copy of the said memorandum to the officers concerned accompanied by such orders as may be necessary.,,

2. It has been observed that, in some cases, even after concurrence has been given by the Govt. department owning the land to relinquish the said land in favour of the other State Govt. department, the completion of all formalities as provided in Rule 469 of the WBL&LR Manual, 1991, takes some time. As per the existing practice, administrative and financial approval of the projects on such land is not given pending approval of the L&LR Department as provided in the referred Rule. As such, there is avoidable delay in starting such projects resulting in cost and time overrun.
3. After careful consideration, the Governor is pleased to decide that development projects on Govt. land proposed for transfer from one department to another will be accorded administrative and financial approval by the appropriate authority provided the Collector of the District has recommended the proposal after making inquiries regarding the area, ownership, availability, character, nature of the land and whether the land is free from encroachment and litigation and administrative department of the State Govt. owning the land has given its concurrence for relinquishing such land in favour of the requiring department. The administrative department to which the land is proposed to be transferred shall not start the execution of the project unless all the formalities as provided in Rule 469 of the WBL&LR Manual, 1991 have not been fully complied with. It may, however, complete all other works like completion of tender formalities, selection of executing agencies, etc.
4. The order will take immediate effect.

Sd/- H.K.Dwivedi

Secretary to the
Government of West Bengal

Government of West Bengal
Finance Department
Audit Branch

No. 1240-F(Y)

Dated, Kolkata, 18/02/2013

MEMORANDUM

Sub - Accounting procedure of execution of works through PSU's

Works execution by Government Departments other than Works Departments through Public Sector Units, Autonomous Bodies and Development Authorities being a new concept, various Government Departments have been approaching the Finance Department for advice on the procedure to be followed for drawal of fund and accounting for the same in the books of accounts of the Departments and the offices subordinate to them. Government has devised the procedure of drawal of fund from the Treasury, disbursement of the same to the executing agencies, and accounting for the same in the books of accounts of the Government Departments and offices.

Accordingly, the undersigned is directed by order of the Governor to prescribe the procedure as follows :

PROCEDURE OF DRAWAL AND DISBURSEMENT OF FUND AND PREPARATION OF ACCOUNTS RELATED TO EXECUTION OF WORKS BY NON-WORKS DEPARTMENTS OF THE GOVT THROUGH PSU's/AUTONOMOUS BODIES/DEVELOPMENT AUTHORITIES.

1. Non-Works departments of the state Government need to enter into an Agreement/MOU with the selected PSU/state autonomous body/ development authority for terms and conditions of the works contract a model of which is given at **Annexure-A**.
2. Rough cost estimate and detailed estimate will be prepared by the selected PSU/autonomous body generally on the basis of the SOR of the state PWD and submit the estimates to the civil department concerned for administrative approval and technical sanction.
4. Procedure of expenditure sanction to the project and drawal of fund for the purpose by the civil department concerned will be regulated by the existing WBTR and WBFR.
5. Expenditure for the purpose will be sanctioned by the competent authority in lump, i.e., the total project cost administratively approved and technically sanctioned.
6. Administrative approval to the project / work and Financial Sanction will be accorded by the Administrative Department following the procedure laid down in rule 165 of West Bengal Financial Rules, vol-1 and Delegation of Financial Power Rules as amended by Finance Department order nos,1880-F dt.7.3.2007, 8651-F(Y) dt.24.8.2010, 8325-F(Y) dt.24.8.2011, 9144-F(Y) dt.22.9.2011, 95-FB dt.18.4.2012, 10184-F(A-II) dt.13.12.2032, 10257-F(A-II) dt.18.12.2012, 96-FB dt.18.4.2012, 3053{14}-FB dt.17.3.2012, 152-FB dt.27.4.2012, 1056-FB dt.10.9.2012, 2895-F(Y) dt.5.4.2012.
7. Technical sanction may be accorded by the engineers of the non-works department. In case of projects of the Departments having no such engineering expertise and also in all cases of the projects with the estimated cost of Rs.5 crore and above shall be vetted for Technical sanction by a duly constituted Technical Committee in the Finance Department.
8. Agreement / MOU (Memorandum of Understanding) shall be entered into by the non- works department with the agency, i.e., the selected PSU/autonomous body/Development Authority

etc., only after drawing, designing and estimate of the work has been prepared by the agency, administrative approval has been accorded by the department and Technical sanction to the work given in the manner specified at paras 6 and 7 above

9. The project execution will be regulated under the terms and conditions of the Agreement/MOU between the employing non-works department and the selected PSU/autonomous body/Development Authority etc. The detailed procedure of drawal of fund and accounting of expenditure is prescribed below:-

- (i) A requisition for fund as per the payment schedule supported by a bill in format given at Annexure B1 shall be submitted by the agency to the employing Department. The officer in charge of the work in the Department shall certify the claim in the following format under his/her signature.

“Certified that(name of the agency) has done the work upto (mention the stage of the work) ason as per prescribed drawing, specifications and original estimate in respect of construction of atand is/are entitled to the payment claimed as per the payment terms of the agreement/MOU”

- (ii) fund placed to the Department with budgetary provisions shall be drawn as per Agreement/MOU from the treasury in TR form no.26 by the Department concerned to make payment to the executing agency as per the payment terms scheduled in the MOU/Agreement;
- (iii) details showing the name of the work, the number and date of the order of administrative approval, technical sanction and financial sanction of the work, the amount of the sanctioned estimate, name of the agency executing the work and the no. and date of the Agreement / MOU should invariably be mentioned in the bill to be submitted to the treasury;
- (iv) the requisition along with Annexure B1 and the certificate mentioned at item no, (i) above shall be treated as supporting sub-voucher of the claim in TR form no. 26 for drawal of fund from the treasury;
- (v) disbursement of the fund to the agency organisation may be made either by cheque drawn in its favour or by transfer credit to its deposit account maintained in the treasury;
- (vi) In case of final claim after 100% completion of the work, a requisition along with a bill in format given at **Annexure B2** and a completion certificate in format given at **item (i) above** certifying 100% completion of the work as per prescribed drawing, specifications and original / revised estimate signed by the officer in charge of the work in the employing Department shall be treated as voucher for the purpose of drawal of fund from the treasury;
- (vii) In cases where approved estimate has been exceeded in the process of execution of work or where additional work has been done, administrative approval, technical sanction and financial sanction to the revised estimate for the additional work / excess over original estimate shall be obtained from the competent authority of the administrative department concerned. A Detailed Completion Report of the work in format given at **Annexure-C** signed by the authorised official of the agency organisation and

- countersigned by the competent authority of the employing Government Department shall be submitted to the AG, WB along with the accounts mentioned at (xi) below;
- (viii) The agency engaged for execution of the work shall do so by engagement of contractors to be selected through tender process;
 - (ix) The agreement to be entered into between the agency and the contractor shall be in the same line as done in case of Public Works contract,
 - (x) The agency PSU/ autonomous body will submit accounts for the fund received and utilised by them for the purpose of execution of the works to the employing Department;
 - (xi) The accounts to be submitted will be prepared by the employed agency supported by all the contractors' vouchers in terms of the codal provisions under TR 4.222 and submitted to the employing Government Department who in its turn shall submit the same to AG, WB, in the manner and within the time as prescribed under TR 4.223 of WBTR, 2005 after necessary checking and counter signature by the authorized officer.
 - (xii) The officer-in-charge of supervision of the work in the employing department shall maintain and submit to the Head of the Department / Departmental Secretary works Slip in format given in Annexure-D at periodic interval to closely monitor the progress of the work and its expenditure in the interest of taking timely steps for revised estimate, if situation so demands.
 - (xiii) Total cost of the works as ascertained from the accounts submitted by the employed agency and as checked and accepted by the employing Departmental authority shall be entered in the Asset Register as its value with full description of the asset created or value added to, as the case may be.

Necessary amendment in West Bengal Financial Rules, and West Bengal Treasury Rules will be made in due course.

Sd/-
H.K. Dwivedi
Principal Secretary
Finance Department

Annexure - A**Draft Agreement form for
Execution of work through agency****ARTICLES OF AGREEMENT**

This deed of agreement is made in the form of agreement on..... day..... month 20..... between the(Employer) or his authorized representative (hereinafter referred to as the first party) and(Name of the agency) (hereinafter referred to as the second party), to execute the work of construction of (hereinafter referred to as works) on the following terms and conditions.

2. Cost of the Contract

The total cost of the works (hereinafter referred to as the “total cost”) is Rs. Annexure - I.

3.1 Payments under its contract:

Payments to the second party for the construction work will be released by the first party in the following manner :-

- i. On signing of agreement after : 10% of the total cost administrative approval, technical sanction and financial sanction to the drawing, design and estimate prepared by the agency
- ii. 25% completion of the construction : 10% of the total cost work
- iii. 50% completion of the construction : 20% of the total cost work
- iv. 75% completion of the construction : 20% of the total cost work
- v. 100% completion of the construction : 35% of the total cost work - on actual measurement
- vi. performance security 5% subject to satisfactory performance to be certified by the officer in charge of the work in the administrative department after lapse of the test performance period to be fixed by the competent authority of the Department concerned.

3.2 Payments at each stage will be made by the first party :

- (a) on the second party submitting a requisition in Format given in B1 or B2, as the case may be, for an amount equivalent to that admissible as per the terms of payment scheduled above and as certified by the first party;
- (b) on certification of the requisition by the first party with respect to quality of works in i. format in Annexure - II; and

4. Notice by agency to employing Government department

The second party, on the works reaching each stage of construction, issue a notice to the first party or the Engineer nominated by the first party (who is responsible for supervising the works of the agency, administering the contract, certifying the payments due to the agency, issuing and valuing variations to the contract, awarding extensions of time etc.), to visit the site for certification of stage completion. Within 15 days of the receipt of such notice, the first party or the engineer nominated by it, will ensure issue of stage completion certificate after due verification.

5. Completion time

The works should be completed in (months/weeks/days) from the date of this Agreement. In exceptional circumstances, the time period stated in this clause may be extended in writing by mutual consent of both the parties.

6. If any of the compensation events mentioned below would prevent the work being completed by the Intended completion date, the first party will decide on the intended completion date being extended by a suitable period :

- (a) The first party does not give access to the site or a part thereof by the agreed period.
- (b) The first party orders a delay or does not issue completed drawings, specifications or instructions for execution of the work on time.
- (c) Ground conditions are substantially more adverse than could reasonably have been assumed before issue of letter of acceptance and from information provided to second party or from visual inspection of the site.
- (d) Payments due to the second party are delayed without reason.
- (e) Certification for stage completion of the work is delayed unreasonably.

7. Any wilful delay on the part of the second party in completing the construction within the stipulated period will render him liable to pay liquidated damages. @ Rs. per day which will be deducted from payments due to him. The first party may cancel the contract and take recourse to such other action as deemed appropriate once the total amount of liquidated damages exceeds 2 % of the contract amount.

(Note : The amount of liquidated damages per day should be determined at 0.05 % of the contract value of the works and indicated here).

8. Duties and responsibilities of the first party

8.1 The first party shall be responsible for providing regular and frequent supervision and guidance to the second party for carrying out the works as per specifications. This will include written guidelines and regular site visit of the authorized personnel of the first party, for checking quality of material and construction to ensure that it is as per the norms.

8.2 The first party shall supply 3 sets of approved drawings, specifications and guidelines to the second party for the proposed works. The second party will give to the first party 5 sets of detailed drawing and design, where preparation of detailed drawing and design is the responsibility of the second party.

8.3 Possession of the site will be handed over to the second party within 10 days of signing of the agreement.

- 8.4 The Engineer or such other person as may be authorized by the first party shall hold meeting once in a month where the second party or his representative at site will submit the latest information including progress report and difficulties if any, in the execution of the work. The whole team may jointly inspect the site on a particular day to take stock of activities.
- 8.5 The Engineer or such other person as may be authorized by the first party shall record his observations/instructions at the time of his site visit in a site register maintained by the second party. The second party will carry out the instructions and promptly rectify any deviations pointed out by the engineer, if the deviations are not rectified within the time specified in the Engineer's notice, the first party as well as the engineer nominated by it, may instruct stoppage or suspension of the construction. It shall thereupon be open to the first party or the engineer to have the deviations rectified at the cost of the second party.

9. Duties and responsibilities of the second party

- 9.1 The second party shall -
- a) take up the works and arrange for its completion within the time period stipulated in clause 5;
 - b) employ suitable contractors - skilled persons to be selected through tender process to carry out the works. In case of acceptance of any bid other than LI, the justification of the same should be adequately explained;
 - c) standard NIT form for invitation of bids for the works should be used;
 - d) enter into agreement with the selected contractor(s) for doing the job in the standard form of agreement for Public Works;
 - e) regularly supervise and monitor the progress of work ;
 - f) abide by the technical suggestions/direction of supervisory personnel including engineers etc. regarding building construction ;
 - g) be responsible for bringing any discrepancy to the notice of the representative of the first party and seek necessary clarification :
 - h) ensure that the work is carried out in accordance with approved specifications, drawings and within the total of the contract amount without any cost escalation ;
 - i) keep the first party informed about the progress of work ;
 - j) be responsible for all security and watch and ward arrangements at site till handing over of the building to the first party;
 - k) maintain necessary insurance against loss of materials/cash, etc. or workman disability compensation claims of the personnel deployed on the works as well as third party claims; and
 - l) pay all duties, taxes and other levies payable by construction agencies as per law under the contract and recover the same from the contractor's bills, if due from them (First party will effect deduction from running bills in respect of such taxes as may be imposed under the law).

10. Variations / Extra Items

The works shall be carried out by the second party in accordance with the approved drawings and specifications. However, if, on account of site conditions or any other factors, variations are considered necessary, the procedure laid down below shall be followed -

- a) The second party shall provide the first party/Engineer of the first party with a quotation for carrying out the variation when requested to do so by the Engineer. The Engineer shall assess the quotation, which shall be given within seven days of the request before the Variation is ordered;
- b) If the quotation given by the second party is unreasonable, the first party / Engineer of the first party may order the variation and make a change to the original estimate which shall be based on the first party's / its Engineer's own forecast of the effects of the variation on the second party's cost;
- c) The second party shall not be entitled to additional payment for costs which could have been avoided by giving early warning

11. Securities

The Performance Security shall be provided to the Employer no later than the date specified in the Letter of Acceptance and shall be issued in an amount and form and by a bank or surety acceptable to the Employer. The Performance Security shall be valid until a date 28 days from the date of issue of the Certificate of Completion in the case of a Bank Guarantee.

12. Termination

12.1 The first party may terminate the Agency Contract, if the second party causes a fundamental breach of the Contract.

12.2 Fundamental breaches of Contract include, but shall not be limited to the followings:-

- (a) the second party stops work for 28 days and the stoppage has not been authorized by the Engineer / supervising official of the first party;
- (b) the second party has become bankrupt or goes into liquidation other than for a reconstruction or amalgamation;
- (c) the Engineer / supervising official of the first party gives Notice that failure to correct a particular Defect is a fundamental breach of Contract and the second party fails to correct it within a reasonable period of time determined by the Engineer;

12.3 Notwithstanding the above, the first party may terminate the Contract for convenience.

12.4 If the Contract is terminated the Second Party shall stop work immediately, make the Site safe and secure and leave the Site as soon as reasonably possible.

13. Payment upon Termination

13.1 If the Contract is terminated because of a fundamental breach of Contract by the Second Party, the Engineer shall issue a certificate for the value of the work done less advance payments received up to the date of the issue of the certificate, less other recoveries due in terms of the contract, less taxes due to be deducted at source as per applicable law.

13.2 If the Contract is terminated at the First Party's convenience, the Engineer shall issue a certificate for the value of the work done, the reasonable cost of removal of Equipment, repatriation of the Third Party Contractor's personnel employed solely on the Works, and the Agency's / Contractor's costs of protecting and securing the Works and less advance payments received up to the date of the certificate, less other recoveries due in terms of the contract and less taxes due to be deducted at source as per applicable law.

14. Force Majeure

- 14.1. The second party shall not be liable for forfeiture of its performance security, liquidated damages or termination for default, if its delay in performance or other failure to perform its obligations under the Contract is the result of an event of Force Majeure.
- 14.2. For purposes of this Clause, “Force Majeure” means an event beyond the control of the second party and not involving the fault or negligence of the second party and not foreseeable, Such events may include, but are not limited to, acts of the first party either in its sovereign or contractual capacity, wars or revolutions, fires, floods, epidemics, quarantine restrictions and freight embargoes.
- 14.3. If a Force Majeure situation arises, the second party shall promptly notify the first party in writing of such conditions and the cause thereof. Unless otherwise directed by the first party in writing, the second party shall continue to perform its obligations under the Contract as far as is reasonably practical, and shall seek all reasonable alternative means for performance not prevented by the Force Majeure event.

15. Dispute settlement

Except where otherwise provided in the contract all questions and disputes relating to the meaning of the specifications, designs, drawings and instructions herein before mentioned and as to the quality of workmanship or materials used on the work or as to any other question, claim, right, matter or thing whatsoever, in any way arising out of relating to the contracts designs, drawings specifications, estimates, instructions, orders or these conditions or otherwise concerning the works, or the executions or failure to execute the same, whether arising during the progress of the work, or after the complete abandonment thereof shall be dealt with as mentioned hereinafter:

If the agency / contractor considers any work demanded of him to be outside the requirements of the contract, or disputes any drawings, record or decision given in writing by the Engineer-in-Charge on any matter in connection with or arising out of the contract or carrying out of the work, to be unacceptable, he shall promptly within 15 days request the Chairman of the Dispute Redressal Committee in writing for written instruction or decision. Thereupon, the Dispute Redressal Committee shall give its written instructions or decision within a period of three months from the date of receipt of the contractor’s letter.

The Dispute Redressal Committee shall be constituted with the following officials as members -

1.	Additional Chief Secretary/ Principal Secretary/ Secretary of the Department concerned	Chairman
2.	One Designated officer of the Department to be nominated by them	Member Secretary and Convenor
3.	One Engineer representative of a works Department	Member
4.	One representative of Finance Department of the Government not below the rank of Joint Secretary / Financial Adviser where IFA system has been introduced	Member

BILL OF QUANTITIES

Sl. No.	Description of Work	Qty.	Unit	Estimated Cost		Amount
				In figure (Rs.)	In Words	

Gross Total Cost: Rs

We agree to execute the works in accordance with the approved drawings and technical specifications at percentage above/below the estimated rates, i.e., for a total contract price of Rs. (amount in figures) (Rs. amount in words).

Signature of Agency / Contractor

Format of certificate

“Certified that(name of the agency) has done the work upto (mention the stage of the work) as on as per prescribed drawing, specifications and original estimate in respect of construction of at and is/are entitled to the payment claimed as per the payment terms of the agreement / MOU”

Signature

Name & Designation (Official address)

Place :

Date :

Office seal

**AGENCY BILL
(for intermediate payments on running account)**

Bill No.dated

Name of Agency

Name of work

Serial No. of the claim (*for this work*) (*to start with 1-to be filled up by the employing Govt Dptt*)

No. and date of his previous Bill for this work

Reference to agreement

Date of written order to commence work

I. Account of Work

	Rs.	P.	progress %-age
1. Approximate value of work done up to date along with %-age of physical progressF			
2. <i>Deduct</i> amount withheld(reasons to be recorded here) (a) from previous bill (b) from this bill			
3. <i>Balance</i> i.e., “up-to-date” intermediate payments (items 1-2).....K			
4. <i>Deduct</i> intermediate payments already made as per entry “K” of the last BillD			
5. Intermediate payment now to be made (items 3-4) in the manner detailed below -			
	Rs.	P.	
i. by recovery of amount creditable to this work, (such as mobilization advance).....G			
ii. By cheque H			

Certified that % of the total work has been completed as on as per agreement.
Please pay Rs. (..... % of total cost of work) for the completed work as stipulated in para 3.1 of the MOU/Agreement.

Date.....

**Signature of the authorised signatory of the agency
organisation executing the work**

II. Certificates and Signatures

I have satisfied myself* by that the work done up-to-date excluding the measured up additions and alterations is not less than% of the total work as per the agency agreement and that with the exception of authorized additions and alterations the work has been done according to the prescribed drawings and specification.

2. The detailed measurements of authorized additions and alterations up-to-date were made byonand are recorded at pageof Measurement Book No.....

Dated signature of officer preparing the bill

Rank

Passed for Payment # (Rs..... only)

Dated signature of the officer of the Government Department

Authorizing the payment

Designation.....

III. Acquittance

Received** (Rs.) Rupeesas intermediate payment in connection with the contract referred to above.



Full signature of the authorized signatory of the agency organization executing the job

Cash

Paid by me by.....

Cheque no. dated

Dated signature of the person actually making the payment

* Here specify the method employed for estimating the value of work

Here specify the net amount payable, vide item 6(ii) of Account 1.

** The Payee's acknowledgements should be for the gross amount paid as per item 6 (i+ii) of account 1. Payment to be made after receipt of the cheque from the Treasury / Pay & Accounts office.

AGENCY FINAL BILL

(to be used for "final payments " on lump sum contracts)

Bill no.Dated

Name of agency

Name of work

Serial No. of the claim *(for (his work)* *(to start with I-to be filled up by the employing Govt Dptt)*

No. and date of his previous Bill for this work

Reference to Agreement

Date or written order to commence work

Date of actual completion of work

I. Account of Work Executed

Sub-work, subhead or item of work	Rate		Unit	Up to date			Remarks
	Rs.	P.		Lump sum for each	Quantity/ %age of work	Amount	
			Rs.			P.	
1	2		3	4	5		6
Total							
Additional work							
Deduct omissions							
Total value of work done to date - F							

Certified that 100% of the total work has been completed as onas per agreement. Please pay Rs. (..... % of total cost of work) for the completed work as stipulated in para 3.1 of the MOU/Agreement.

Date.....

Signature of the authorised signatory of the agency organisation executing the work

II. Certificates and Signatures

I certify that the work has been completed 100% of the total work in accordance with the prescribed drawing and specification and in conformity with the terms of the agency agreement. After taking into account all the authorized additions and alterations the value of work done up to date is Rs.....

2. The detailed measurements of the authorized additions and alterations mentioned above were made byon and are recorded at page of Measurement Book Noand I am satisfied that they are correct.

Dated signature of the certifying Engineer
Rank/Designation.....

Countersigned

officer in charge of the work in the employing Government Department with date

III. Memorandum of Payments

				Rs.	P.
1. Total value of work done up to date as per 'F' of Account I of this Bill					
2. <i>Deduct</i> : Up-to-date intermediate payment already made as per entry 'K' of Account I of last Bill No date.....			D		
3. Payments now to be made :- (a) by recovery of amounts creditable to this work (<i>as unrecovered balance of mobilization advance</i>)			G		
b) By cheque.			H		

+ Passed for Payment (Rs.) Rupees

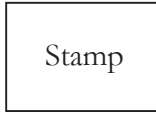
Dated

Signature of the officer authorizing payment
Rank.....

+ Here specify the net amount payable, vide item 3 (b) of Account 1I1.

IV. Acquittance

**Received (Rs.) Rupees..... as above in full settlement of all demands on account of the contract.



Signature of the authorised signatory of the agency organisation executing the work

Cash

Paid by me by.....

Cheque no. dated

Dated

Initials of person actually making payment

Rank

** The payee's acknowledgement should be for the gross amount as per item 3(a+b) of Account III.

Annexure - C

DETAILED COMPLETION REPORT

Name of the agency organisation

Name of the Government Department on whose order job done

Detailed Completion Report of works completed during the month of

Name of work	Amount						% -age of excess	Date of written order to commence work	Date of actual completion of work
	Estimate		Expenditure		Excess				
1	2		3		4		5	6	7
	Rs.	P.	Rs.	P.	Rs.	P.			

Names of Engineers and subordinates by whom the work was supervised

Names	Period of incumbency	
	From	to

Explanations of excesses

- (1)
- (2)

Signature of the authorised official of the agency organisation

(To be printed on reverse)

Name of work

Name of the agency

Items of estimate	As estimated				As executed				Differences*				References to paragraphs overleaf explaining excess
	Quantity		Rate		Amount		Quantity		Rate		Amount		
		Rs.	P.	Rs.	P.		Rs.	P.	Rs.	P.	Rs.	P.	
Total	Rs.			Rs.			Rs.						

* Excess to be entered in red ink; Savings in black ink.

Dated the.....

Officer-in-charge of the work in the employing Department

Anexure - D

WORKS SLIP

(to be maintained by the employing Department)

Name of work.....

Month.....

Sub-heads	Units	As per estimate			As executed			Probable cost of work remaining to be done and value of work already done but not brought to account			Explanations of deviations, excesses etc.
		Quantity	Rate	Cost	Quantity	Rate	Actual cost to date	Approximate Quantity	Rate	Probable cost	
			Rs.	Rs.		Rs.			Rs.		
1	2	3	4	5	6	7	8	9	10	11	12
Total of estimate					Total charges against final heads			Probable further expenditure - A			
Add											
Total booked outlay to date											
Probable further expenditure as per entry A Above											
Total											
Deducts - suspense accounts recoverable											
Ultimate anticipated expenditure on the work											

Work commenced in Present state of progress in general terms

.....
Accounts officer of the Department

.....
Officer in charge of the work

Dale

Date.....

Comments/observation of the Head of the Department / Departmental Secretary

Signature with date

-ACTION POINTS-

- * Works slips should be prepared by the Officer responsible for supervision of site work and submitted to the Head of the Department / Departmental Secretary.
- * The Work Slips enable the Head of the Department / Departmental Secretary to investigate the excess total expenditure under each sub-head of a work, in contrast with the sanctioned estimate, with a view to deciding whether or not a revised estimate will be required for the work.

No. 1240/1(500VF(Y)

Kolkata, the 18th February, 2013

Copy forwarded for information and necessary action to :

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, Kolkata-700 001.
2. The Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata-700012
3. The Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Kolkata-700073.
4. The Pay & Accounts Officer, Kolkata Pay & Accounts Office-III, Bikash Bhavan, Salt Lake, Kolkata- 700 091.
5. The Assistant Secretary, Finance Department, Accounts Branch, Writers' Buildings, Kolkata-700 001.
6. The Assistant Secretary, Finance Department, Group- 'B', Bikash Bhavan, Salt Lake, Kolkata-700 091.
7. The District Magistrate/Judge.....
.....
8. The Sub-Divisional Officer,
9. The Treasury Officer,
10. TheDeptt./Dte.
11. The Commissioner,.....
.....
12. The Principal, Industrial Training Institute,
13. Dy Superintendent of Police,
14. The Superintending Engineer/Executive Engineer,

Deputy Secretary to
the Government of West Bengal
Finance Department.

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

No.: 4245-F(Y)

Kolkata, the 28th May, 2013

MEMORANDUM

Subject : Clarification regarding exemption from payment of Earnest Money and Security Deposit given to SSI units participating in Government tenders.

The undersigned is directed to state in clarification of this Department's Notification No. 10500-F, dated 19.11.2004 that exemption from payment of Earnest Money and Security Deposit given to Small Scale Industrial (SSI) units under rules 47A(1) and 47B(7) of West Bengal Financial Rules, Volume-I is applicable to supply contracts only and not to works contracts.

Such units participating in works tender will have to deposit Earnest Money and if selected, Performance Security / Security Deposit as usual.

Sd/-

H.K. Dwivedi

Principal Secretary to
the Government of West Bengal.

Government of West Bengal
Finance Department
Audit Branch

No.4470-F(Y)

Dated, Kolkata, 5th June, 2013

MEMORANDUM

The undersigned is directed by order of the Governor to make the following amendment in Finance Department memo no. 1240-F(Y) dated, 18.2.2013.

Para-3.1 (Payments under its contract) of Annexure-A may be replaced with the following:

3.1 Payments under its contract:

Payments to the Executing Agency (second party) for the construction work will be released by the Administrative Department (first party) in the following manner :-

- | | | |
|--|---|---|
| i. On signing of agreement after administrative approval, technical sanction and financial sanction to the drawing, design and estimate prepared by the agency | : | 10% of total cost |
| ii. start of the construction work | : | 40% of the total cost |
| iii. 50% completion of the construction work | : | 25% of the total cost |
| iv. 100% completion of the construction work - on actual measurement | : | 20% of the total cost |
| v. performance security | : | 5% subject to satisfactory performance to be certified by the officer in charge of the work in the administrative department after lapse of the test performance period / Defect Liability Period to be fixed by the competent authority of the Department concerned. |

All other terms and conditions of the articles of the agreement contained in Annexure-A of 1240-F(Y) dated 18.02.2013 will remain unchanged.

Sd/-

H.K. Dwivedi

Principal Secretary to
the Government of West Bengal

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

No.8385-F(Y)

22nd November, 2013

MEMORANDUM

Different departments of the State Government have to often seek services of consultants for the purpose of project planning, feasibility studies, construction supervision/project management, advisory services, etc. to complement the capabilities available in the Government department or other Government bodies. The existing West Bengal Financial Rules do not prescribe procurement rules for selection and engagement of consultants.

2. It is, therefore, felt necessary to prescribe guidelines for the procurement of services of the Consultants. The undersigned is directed by order of the Governor to issue the Guidelines for selection of Consultants attached as Annexure to this memo.
3. The undersigned is also directed to delegate financial power upto Rs.10 lakh per consultancy to the Additional Chief Secretary/Principal Secretary/Secretary of the Administrative Department for payment of professional service charge/fee to the Consultant out of fund available under object head of "28-payment of professional & special services-02-other charges" subordinate to the functional Major head of the Department.

Sd/~


(H.K. Dwivedi)
Principal Secretary to the
Government of West Bengal

No. 8385 F(Y)

Dated, the 22nd November, 2013

Copy forwarded for kind information and necessary action to :

1. The Chief Secretary, Government of West Bengal.
2. The Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Additional Chief Secretary/Principal Secretary/Secretary,
.....Department, Govt. of West Bengal.
4. Director of Treasuries & Accounts, West Bengal.
5. All District Magistrates.
6. Guard file of Finance Department (Group-T).


(Goutam Samanta)
Joint Secretary to the
Government of West Bengal

ANNEXURE
to memo no. 8385-F(Y) dt. 22.11.2013
Guidelines for engagement of consultants

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Part - 1**INTRODUCTION****1.1 Purpose**

1.1.1 The purpose of these Guidelines is to define the State Government's broad policies and procedures for selection, contracting and monitoring of consultants and other professional services providers financed from the Government's resources.

1.1.2 The term consultant(s) includes a wide variety of private and public entities, including transaction advisors, consulting firms, engineering firms, management firms, procurement agents, inspection agents, auditors, investment and merchant bankers, universities, research institutions, Government agencies, non Government organizations (NGOs) and individuals/experts. These consultants can be engaged for help in a wide range of activities - such as policy advice; institutional reforms; management; engineering services; construction supervision/project management; feasibility studies, financial services; privatization studies and procedures, procurement services; social and environmental studies; identification of projects, preparation of DPR including those related to PPP projects, development of Computer hardware /software services etc. to complement the capabilities of the Government department or other Government authorities (referred to as "engaging Departments" hereafter).

1.2 When and how to engage Consultant

1.2.1 The following main considerations would guide the need for engaging consultants:-

- (a) Absence of required expertise in-house;
- (b) The need for high quality services;
- (c) The need for economy and efficiency;
- (d) The need to have qualified Consultants for providing the specific services;
- (e) The importance of transparency in the selection process;
- (f) The identification of scope of work and the time frame for which services are to be availed of.

1.2.2 Administrative approval and financial sanctions from the competent authority as stipulated in the West Bengal Financial Rules shall be required for engagement of consultants/professional service providers in any office of the State Government.

1.2.3 Engagement of Officials of the State Government or Retired Officers either in their individual capacity or as a part of a Consultant's team will be guided by the rules and orders of the State Government issued from time to time.

1.3 Applicability of Guidelines

1.3.1 These guidelines are applicable for selection of consultants by any department/organization of the State Government where the costs of the Project/Assignment are funded by the State Government.

1.3.2 The consulting services to which these Guidelines apply are of an intellectual and advisory nature. These Guidelines do not apply to other types of services in which the physical aspects of the activity predominate (for example, construction of works, manufacture of goods, operation and maintenance of facilities or plant).

1.4 Consortium of Consultants

Consultants may associate with each other to form a consortium to complement their respective areas of expertise, or for other reasons provided the service is of homogeneous discipline. For instance, expertise in technical consultancy assignments should not be combined with financial and/or legal consultancy and vice versa. Such an association may be for the long term (independent of any particular assignment) or for a specific assignment. The consortium may take the form of a joint venture or of a sub consultancy. In case of a joint venture, all members of the joint venture shall sign the contract and shall be jointly and severally liable for the entire assignment. In case of consortium of consultants one of the partners of the consortium must become the lead member of the consortium and the Engaging Department shall only deal with the lead member for all the purposes. Consultancy proposals with respect to the lead firm only should be evaluated and the lead firm should always be responsible for delivery of services.

1.5 Selection of Consultants

1.5.1 For selection of the consultants, normally, the engaging Department shall adopt two stage procedure. In the first stage, the engaging Department shall identify the likely sources on the basis of formal or informal enquiries and by inviting Expression of Interest (EOI) through advertisement. On the basis of responses received, Consultants meeting the requirement will be short listed for further consideration. In the second stage, the short-listed consultant will be invited to submit (Request for Proposals or RFP) their Technical and Financial Proposals. The consultant shall be selected based on evaluation of their Technical and Financial bids, the details of which are provided in Part 3 of these guidelines.

1.5.2 The selection of consultant shall follow any of the following methods; as considered appropriate:

1. Quality and Cost Based Selection (QCBS): Under normal circumstances, this” method of evaluation shall be used.
2. Combined Quality Cum Cost Based System (CQCCBS): This method of selection shall be used for highly technical projects where weightage needs to be given to higher technical standards, while finalizing the prices, as per para 3.12 below.
3. Quality Based Selection (QBS): This method of selection may be used under the following circumstances:
 - (i) the outcome of the assignment will have high impact and hence it is essential to engage most qualified consultant. Examples are national policy formulation; capacity building program etc.
 - (ii) the assignment is very complex or highly specialized where it is difficult to define scope of work with accuracy. Examples are country specific study; reforms related studies, high precision scientific work etc.

4. Cost Based Selection (CBS): This method of selection may be used for the assignments of following nature: (i) assignment where any experienced consultant can deliver the services without requirement of specific expertise. Examples are traffic surveys, market surveys etc. and (ii) cost of which shall not exceed Rs. Ten lakh.

1.5.3 Selection by direct negotiations: The selection by direct negotiations/nomination is permissible under exceptional circumstance such as (a) for tasks that represent a natural continuation of previous work carried out by the firm, (b) in case of emergency situation, situation arising after natural disasters, situations where timely completion of the assignment is of utmost importance, (c) situations where the execution of assignment may involve use of proprietary techniques or only one consultant has requisite expertise. Such selection may normally be restricted to a financial ceiling of Rs. Five lakh.

1.6 Consultancy Tender Evaluation Committee (CTEC)

For all cases having financial implications of more than Rs. Five lakh, a CTEC comprising of at least three members at appropriate level including Financial Adviser or his representative and also a representative of the user shall be constituted by the engaging Department in order to carry out the consultant selection procedure. The CTEC shall be responsible for all aspects and stages of the consultant selection i.e. issuance of EOI, evaluation of EOT short-listing of consultants, deciding Terms of Reference, issuance of RFP, evaluation of technical and financial proposals, negotiations and final selection of the consultant. Even in case of selection of consultant by direct negotiations having financial implication of more than Rs. Five lakh, the CTEC shall negotiate with the consultant on technical and financial aspects. [Note: Separate committees may be constituted for separate assignments.]

1.7 Forms of Contracts

1.7.1 Various forms of the contracts may be entered into by the Engaging Department with the consultant depending upon the nature of the assignment. Following are various forms of contracts:

- (i) Lump sum contract;
- (ii) Time based contracts;
- (iii) Success fee based contract;
- (iv) Percentage contract;
- (v) Indefinite delivery contract

1.7.2 The lump sum contract is the preferred form of contract and under normal circumstances, the engaging Department shall use this form of contract. The other forms of contract shall only be used under special circumstances, as specified in Part 5 of these guidelines.

Part-2**EXPRESSION OF INTEREST****2.1 Invitation of Expression of Interest**

2.1.1. Where the estimated cost of work or service is upto Rs.5 lakhs preparation of long list of potential consultants may be done on the basis of formal or informal enquiries from other Departments or organizations involved in similar activities, Chambers of Commerce and Industry, Association of Consultancy Firms, etc.

2.1.2. In addition to 2.1.1 above, where the estimated cost of the work or service is above Rs. 5 lakhs but below Rs. 10 lakh, except in cases of nomination or where direct negotiation is carried out as per provisions in West Bengal Financial Rules, an advertisement called “Invitation for Expression of Interest” (EOI) shall be released in at least one widely circulated English language daily newspaper and one vernacular language leading daily newspaper; for those of or above Rs.10 lakh an advertisement called “invitation for Expression of Interest” (EOI) shall be released in at least one English language National Newspaper. Simultaneously the advertisement shall be posted in the Department’s website for preparing the short list. Attention of known reputed consultants may also be separately drawn wherever possible. Advertisement in newspapers shall be brief and give reference to departmental website. The advertisement must include, besides the broad scope of work or service, inputs to be provided by the Department, eligibility and the pre-qualification criteria to be met by the consultants and consultant’s past experience in similar work or service, the last date of submission of EOI, how to get copy of EOI document, contact information of the engaging Department with name of contact person etc. Adequate time should be allowed for getting responses from interested consultants.

2.2 EOI Document

2.2.1 The Engaging Department shall prepare an EOI document. The EOI document shall contain following information:

- (i) Invitation to EOI: It shall include a copy of the advertisement whereby consultants are invited to submit their EOI.
- (ii) Brief about objectives and scope of work : This may include brief description about objective of carrying out the assignment, broad scope of work and expected deliverables of the assignment. This may also include the place of execution of the assignment.
- (iii) Instructions to the Consultants: It may include instructions regarding nature of job, inputs, if any, to be provided by the Department, submission requirement; requirement of bid processing fees; if any; last date of submission; place of submission; and any related instruction;
- (iv) Pre-qualification Criteria; this may clearly lay down the prequalification criteria which shall be applied by the engaging Department including consultant’s past experience in similar work or service, for short listing the consultants.
- (v) Formats for submission. This section shall specify the format in which the consultants are expected to submit their EOI.

2.2.2 The engaging Department shall make available the copies of the EOI document to the interested consultants in hard copies as well as on its web site.

2.3 Short List of Consultants

2.3.1 The Engaging Department shall evaluate the consultants for short listing, inter-alia, based on their past experience of handing similar types of projects, strength of their man power and financial strength of the firm.

2.3.2 The engaging Department may assign scores to the response of each consultant based on weightages assigned to each of the criteria in EOI. Normally, the following weightages may be used for such evaluation:

Serial No.	Criteria	Weightage
1.	Past experience of the firm	60%
	• Number of years experience	20%
	• Past experience of studies/job of similar nature	50%
	• Past experience in carrying out studies/job in related sectors	20%
	• Studies/job carried out in West Bengal	10%
2.	Experience of Key personnel.	25%
	• Qualifications	30%
	• Relevant experience	70%
3.	Financial strength of the consultant.	15%
	• Turnover figure for last three years.	50%
	• Net profit figure for last three years	50%

2.3.3 The Engaging Department shall short list all the consultants who secure the minimum required marks [normally 50%]. The minimum qualifying requirement shall be specified in the EOI document.

2.3.4 Alternatively, the engaging Department may specify in the EOI document minimum qualifying requirement for each of the criteria i.e. minimum years of experience, minimum number of assignments executed, minimum turnover etc. Under such circumstances, the engaging Department shall apply pass-fail test and short list all the consultants who meet the minimum requirement as specified.

2.3.5 The short lists shall normally comprise at least three firms.

2.4 Cost Based Selection

2.4.1 For small assignments, where the engaging Department decides to select the consultant based on CBS method, the consultant shall be selected following single stage bidding procedure. Under single stage bidding procedure, the engaging Department shall invite financial proposals along with the EOI in two separate envelopes.

2.4.2 The financial proposals of all the consultants who have been short listed, as per clause 2.3 above, shall be opened in the presence of the short listed consultants who choose to remain present. The consultant, who has submitted the lowest financial bid, shall be selected as the LI and shall be called for further negotiations.

Part-3**SELECTION OF CONSULTANTS**

3.1 Once the short listing of consultants is completed, the engaging Department shall start the process of final selection of the consultant. The selection process generally includes the following steps:

- (a) preparation of Terms of Reference (TOR);
- (b) preparation of cost estimate and the budget;
- (c) preparation and issuance of the Request for Proposals (RFP);
- (d) pre-bid meeting;
- (e) receipt of proposals;
- (f) evaluation of technical proposals: consideration of quality;
- (g) public opening of financial proposals;
- (h) evaluation of financial proposal;
- (i) selection of the winning proposal;
- (j) negotiations with the selected consultant, if required;
- (k) award of the contract to the selected firm;

3.2 Terms of reference

The Engaging Department shall be responsible for preparing the TOR for the assignment. TOR shall be prepared by those who have sufficient knowledge and experience in the area of the assignment. If the required experience is not available in-house, the task of preparation of the TOR can also be assigned to experienced consultants. The TOR shall include:

- i) Purpose/objective of the assignment;
- ii) Detailed scope of work;
- iii) Expected input of key professionals (number of experts, kind of expertise required);
- iv) Proposed schedule for completing the assignment;
- v) Reports/deliverables required from the consultant.
- vi) Background material, records of previous surveys etc. available and to be provided to the consultant
- vii) Facilities such as local conveyance, office space, secretarial assistance etc., which can be provided to the consultant
- viii) Procedure for review of the work of consultant after award of contract.

The scope of the services described in the TOR shall be compatible with the available budget. TOR shall define clearly the objectives, goals, and scope of the assignment and provide background information (including a list of existing relevant studies and basic data) to facilitate the consultants' preparation of their proposals. If transfer of knowledge or training is also an objective, it should be specifically outlined along with details of number of staff to be trained, and so forth, to enable consultants to estimate the required resources. TOR shall list the services and surveys necessary

to carry out the assignment and the expected outputs (for example, reports, data, maps, surveys). However, TOR should not be too detailed and inflexible, so that competing consultants may propose their own methodology and staffing. Firms shall be encouraged to comment on the TOR in their proposals. The engaging Department's and consultants' respective responsibilities should be clearly defined in the TOR.

3.3 Cost Estimate (Budget)

Preparation of a well-thought-through cost estimate is essential if realistic budgetary resources are to be earmarked. The cost estimate shall be based on the engaging Department's assessment of the resources needed to carry out the assignment: staff time, logistical support, and physical inputs (for example, vehicles, laboratory equipment). Costs shall be divided into two broad categories:

- (a) fee or remuneration (according to the type of contract used) and
- (b) reimbursable, and further divided into foreign (if applicable) and local currency payments.

The cost of staff time shall be estimated on a realistic basis for the personnel, as applicable, by ascertaining the prevalent market conditions and consulting other organizations engaged in similar activities.

3.4 Preparation and Issuance of the Request for Proposals (RFP)

3.4.1 Request For Proposal (RFP) is the bidding document in which the technical and financial proposals from the consultants are obtained. It contains the following:

- (i) A letter of invitation (LOI)
- (ii) Instructions to consultants (ITC)
- (iii) Terms of Reference (TOR)
- (iv) List of key positions/professionals required for the assignment
- (v) Requirement of qualification and experience of the firm and of the key professional staff
- (vi) Criteria of bid evaluation and selection procedure
- (vii) Standard formats for technical proposal
- (viii) Standard formats for financial proposal
- (ix) Proposed form of contract

The engaging Department shall use the applicable standard RFP with minimal changes as necessary to address project-specific issues. The engaging Department may use an electronic system to distribute the RFP. If the RFP is distributed electronically, the electronic system shall be secured to avoid modifications to the RFP and shall not restrict the access of short listed consultants to the RFP. The RFP will be sent only to the short listed consultants.

3.4.2 Letter of Invitation (LOI)

The LOI shall state the intention of the engaging Department to enter into a contract for the provision of consulting services, the details of the engaging Department and the date, time, and address for submission of proposals.

3.4.3 Instructions to Consultants (ITC)

3.4.3.1 The ITC shall consist of two parts, (1) Standard information, and (2) Assignment specific information. The assignment specific information is added through “data sheet”. The ITC, therefore, contains all necessary information that would help the consultants prepare responsive proposals, and shall bring as much transparency as possible to the selection procedure by providing information on the evaluation process and by indicating the evaluation criteria and factors and their respective weights and the minimum passing quality score. The standard information include clauses relating to the procedure of bid submission, the procedure relating to pre-bid meeting, procedure for seeking clarifications etc. The assignment / job specific information will be prepared separately and it will include the date and time of bid submission, contact address, the qualification criteria, the method of selection, the evaluation process, the factors of evaluation and their respective weights etc.

3.4.3.2 The ITC shall not indicate the budget (since cost is a selection criterion), but shall indicate the expected input of key professionals (staff time). Consultants, however, shall be free to prepare their own estimates of staff time necessary to carry out the assignment. The ITC shall specify the proposal validity period (normally 90-120 days).

3.4.4 Standard formats for technical and financial proposals

3.4.4.1 The standard formats for technical proposal include:

- (i) Format for Letter of Proposal submission
- (ii) Format for Consultant’s organization and experience
- (iii) Format for Comments and suggestions on TOR
- (iv) Format for Approach and methodology
- (v) Format for Team Composition
- (vi) Format for Curriculum Vitae of key professionals
- (vii) Format for Staffing Schedule
- (viii) Format for Work Schedule
- (ix) Format for Comments / modifications suggested on draft contract.
- (x) Format for information regarding any conflicting activities and declaration thereof.

3.4.4.2 The standard formats for financial proposal include:

- (i) A summary sheet of the cost estimate to be quoted by the consultant.
- (ii) Remuneration payable.
- (iii) Reimbursables.

3.4.5 Proposed form of contract

3.4.5.1 The contract includes accepted TOR methodology, general and specific conditions of contract, etc. wherever possible, the engaging Department shall use the Standard Form of Contract.

3.4.5.2 The general conditions of contract shall include all such conditions which are common in nature and not project specific. Such conditions include clauses pertaining to sub contracting, methods of payment, termination and extension of contracts, arbitration, variation in quantities, indemnity and insurance, force majeure, conflict of interest, compliance to local laws and taxes and duties, franking clause etc.

3.4.5.3 The project specific conditions include clauses relating to the assignment in hand. These clauses should be carefully developed to protect the interest of the engaging Department.

3.5 Pre-bid meeting

In all cases of large value or complex assignments, a pre-bid meeting may be prescribed in the RFP. The date and time for such a meeting should normally be after 15 to 30 days of issue of RFP and should be specified in the RFP itself. During this meeting, the scope of assignment, responsibilities of either parties or other details should be clearly explained to the prospective bidders so that there is no ambiguity later on at the time of submission of technical/financial bids. Where some significant changes are made in the terms/scope of RFP as a result of pre bid meeting or otherwise considered necessary by the engaging Department, a formal Corrigendum to RFP may be issued, to all short listed consultants. In such cases, it should be ensured that after issue of Corrigendum, reasonable time (not less than 15 days) is available to the bidders to prepare/submit their bid. If required, the time for preparation and submission of bids may be extended, suitably.

3.6 Receipt of proposal

3.6.1 The engaging Department should allow enough time to the short listed consultants to prepare their proposals. The time allowed shall depend on the assignment, but normally shall not be less than four weeks and more than three months. In cases, where participation of international consultants is contemplated, a period of not less than eight weeks should normally be allowed. If necessary, the Government Department shall extend the deadline for submission of proposals. The technical and financial proposals shall be submitted at the same time. To safeguard the integrity of the process, the technical and financial proposals shall be submitted in separate sealed envelopes. The technical bids will be opened immediately after closing of receipt of technical bids by the Consultancy Tender Evaluation Committee (CTEC). The financial proposals shall remain sealed and shall be opened publicly only of those firms who have qualified technically. Any proposal received after the closing time for submission of proposals shall be returned unopened.

3.6.2 Government Departments may use electronic systems permitting consultants to submit proposals by electronic means, provided the Department is satisfied with the adequacy of the system, including, inter alia, that the system is secure, maintains the confidentiality and authenticity of the proposals submitted, uses an electronic signature system or equivalent to keep consultants bound to their proposals and only allows proposals to be opened with due simultaneous electronic authorization of the consultant and the Government Department.

3.6.3 Late Bids;

Late bids that is bids received after the specified date and time of receipt shall not be considered and shall be returned unopened.

3.7 Evaluation of Proposals: Consideration of responsiveness

The evaluation of the proposals shall be carried out in two stages: At the first stage evaluation of technical proposals is taken up. Proposals without earnest money (bid security), bid processing fees, if specified, unsigned and incomplete (i.e. when the required bid formats have not been submitted), not responding to the TOR fully and properly and those with lesser validity than that prescribed in the RFP will be summarily rejected as being non-responsive, before taking up the appraisal of the technical proposal for evaluation of quality. Evaluators of technical proposals shall not have access to the financial proposals until the technical evaluation is concluded. The envelope containing the financial proposal is not opened till the technical evaluation is complete. The financial proposal of only such bidders will be opened which obtain minimum qualifying marks/standards prescribed for the technical proposal. The evaluation shall be carried out in full conformity with the provisions of the RFP.

3.8 Evaluation of the Quality

3.8.1 The Engaging Department shall evaluate each technical proposal (using the evaluation committee, CTEC), taking into account criteria as prescribed in the RFP: (a) the consultant's relevant experience for the assignment, (b) the quality of the methodology proposed, (c) the qualifications of the key staff proposed and (d) capability for transfer of knowledge. Each of the responsive technical proposal will be evaluated for the criteria prescribed in the RFP by awarding marks so as to make total maximum technical score as 100. The criteria and weightage to each criteria or sub-criteria would depend on the requirements of each case and may be fixed objectively. A model scheme of maximum marks is, however, proposed as under:

Details	Max. Marks
1. Experience of the firm	20
2. Methodology, work plan and understanding of TOR	25
3. Suitability of the Key personnel for the assignment	45
4. Capability for Transfer of knowledge/training*	10
TOTAL	100

* If this criteria is not required, the marks can be adjusted against some other criteria.

The weight given to the firm's experience can be relatively modest, since this criterion has already been taken into account when shortlisting the consultant. More weight shall be given to the methodology in the case of more complex assignments (for example, multidisciplinary feasibility or management studies). Alternatively a simplified procedure for evaluation of quality can be followed which has been described in para 3.9 below.

3.8.2 For evaluation of the technical bids with the simplified and detailed methods of evaluation, suggested formats have been given at Annexures I & II respectively of this manual. They can be

referred to for guidance. Suitable modifications can be made based on the requirements of the evaluation criteria.

3.8.3 The CTEC shall normally divide the above criteria mentioned in para 3.8.1 into sub criteria. For example, sub criteria under methodology, work plan and understanding of TOR can be divided into (i) understanding of TOR, (ii) acceptability and detailing of methodology and work plan (iii) innovation, if it is important. However, the number of sub criteria should be kept to the minimum that is considered essential. The sub criteria for suitability of the key professionals for the assignment can also be divided into: (i) Educational qualifications (20% weight), (ii) professional experience in the required area of assignment (80% weight).

3.8.4 Evaluation of only the key personnel is recommended. Since key personnel ultimately determine the quality of performance, more weight shall be assigned to this criterion if the proposed assignment is complex. The CTEC shall review the qualifications and experience of proposed key personnel in their curricula vitae, which must be accurate, complete, and signed by an authorized official of the consultant and the individual proposed. When the assignment depends critically on the performance of key staff, such as a Project Manager in a large team of specified individuals, it may be desirable to conduct interviews.

3.8.5 **At the end of the technical evaluation process, the CTEC shall prepare a technical evaluation report of the “quality” of the proposals and take competent authority’s approval.** The report shall substantiate the results of the evaluation and describe the relative strengths and weaknesses of the proposals. All records relating to the evaluation, such as individual mark sheets, shall be retained until completion of the project and its audit.

3.8.6 Minimum qualifying marks or relative qualifying method for assessment/evaluation of the technical proposal will be prescribed and indicated in the RFP. The consultants who are qualifying as per the technical evaluation criteria will only be considered as eligible for the consultancy assignment.

3.9 Simplified procedure for evaluation of quality

Alternatively, the following simplified procedure for technical evaluation can also be followed.

3.9.1 Purpose: Most of the Govt, departments need consultants who should only fulfil a minimum qualifying standard. For such assignment a higher technical score of 60% and above may not be necessary. Engagement of accountants, auditors, consultant engineers etc. can be carried out by following this simplified procedure for evaluation of technical quality.

3.9.2 Under this procedure minimum qualifying standards/criteria will be fixed for each parameter.

As mentioned earlier, the following parameters can be used:

- (i) Minimum experience including number of assignments handled by the firm similar to the area of assignment.
- (ii) Turn over and other financial parameters of the firm, if required.
- (iii) Minimum educational qualifications of each of the key professionals.
- (iv) Minimum requirement of experience of the key professionals in an area similar to the proposed assignment.

3.9.3 All the firms which meet the minimum qualifying standards / criteria so prescribed will stand technically qualified for consideration of their financial bids. No ranking of firms among the qualifying firms will be required.

3.10 Evaluation of Cost

3.10.1 After evaluation of quality has been completed, the engaging Department shall notify those consultants whose proposals did not meet the minimum qualifying standard or were considered non-responsive to the RFP and/or TOR, indicating that their financial proposals will be returned unopened after completing the selection process. In case of QCBS, the engaging Department shall simultaneously notify the consultants that have successfully satisfied the qualifying standard or attained the minimum qualifying marks where marks have been awarded, and indicate the date and time set for opening the financial proposals. In such a case, the opening date shall not be later than three weeks after the notification date. The financial proposals shall be opened publicly in presence of the representatives of the technically qualified consultants who choose to attend. The name of the consultant, the qualification scores, and the proposed prices shall be read aloud and recorded when the financial proposals are opened. **The engaging Department shall prepare the minutes of the public opening.**

3.10.2 The CTEC will then examine if there are any arithmetical errors to be corrected. For the purpose of comparing proposals, the costs shall be converted to Indian Rupees as stated in the RFP. The CTEC shall make this conversion by using the selling exchange rates for those currencies as per exchange rate quoted by an official source e.g. State Bank of India. **The RFP shall specify the source of the exchange rate to be used and the date of exchange rate to be taken for comparison of the costs. This date shall be the date of opening of financial bids.**

3.10.3 For the purpose of evaluation, the total cost shall include all taxes and duties for which the engaging Department makes payments to the consultant and other reimbursable expenses, such as travel, translation, report printing, or secretarial expenses.

3.10.4 If there are conditions attached to any financial proposal, which shall have bearing on the total costs as indicated in the proposal, the CTEC shall reject any such proposals as non-responsive financial proposal. However, if the CTEC feels it necessary to seek clarification on any financial proposals regarding taxes, duties or any such matter, the CTEC may do so by inviting responses in writing.

3.11 Selection of the winning consultant

Under the QCBS procedure as mentioned in paras 3.8 and 3.9, the financial proposals will be ranked in terms of their total evaluated cost. The least cost proposal will be ranked as L-1 and the next higher and so on will be ranked as L-2, L-3 etc. The least cost proposal (L-1) will be considered for award of contract. **The CTEC will put up a report on financial evaluation of the technically qualified consultants to the competent finance authority along with the recommendation that the least cost proposal (L-1) can be approved/invited for negotiation and for final award of contract.** Negotiations will be carried out as per the guidelines in para 3.13.

3.12 Cost Evaluation under Combined Quality Cum Cost Based System (CQCCBS)

3.12.1 Under CQCCBS, the technical proposals will be allotted weightage of 70% while the financial proposals will be allotted weightages of 30%.

3.12.2 Proposal with the lowest cost may be given a financial score of 100 and other proposals given financial scores that are inversely proportional to their prices.

3.12.3 The total score, both technical and financial, shall be obtained by weighing the quality and cost scores and adding them up. The proposed weightages for quality and cost shall be specified in the RFP.

3.12.4 **Highest points basis:** On the basis of the combined weighted score for quality and cost, the consultant shall be ranked in terms of the total score obtained. The proposal obtaining the highest total combined score in evaluation of quality and cost will be ranked as H-1 followed by the proposals securing lesser marks as H-2, H-3 etc. The proposal securing the highest combined marks and ranked H-1 will be invited for negotiations, if required and shall be recommended for award of contract.

As an example, the following procedure can be followed. In a particular case of selection of consultant, It was decided to have minimum qualifying marks for technical qualifications as 75 and the weightage of the technical bids and financial bids was kept as 70 : 30. In response to the RFP, 3 proposals, A,B & C were received. The technical evaluation committee awarded them 75, 80 and 90 marks respectively. The minimum qualifying marks were 75. All the 3 proposals were, therefore, found technically suitable and their financial proposals were opened after notifying the date and time of bid opening to the successful participants. The price evaluation committee examined the financial proposals and evaluated the quoted prices as under:

Proposal	Evaluated cost
A	Rs.120.
B	Rs.100.
C	Rs.110.

Using the formula LEC / EC , where LEC stands for lowest evaluated cost and EC stands for evaluated cost, the committee gave them the following points for financial proposals:

$$A: 100/120 = 83 \text{ points}$$

$$B: 100/100 = 100 \text{ points}$$

$$C: 100/110 = 91 \text{ points}$$

In the combined evaluation, thereafter, the evaluation committee calculated the combined technical and financial score as under:

$$\text{Proposal A: } 75 \times 0.70 + 83 \times 0.30 = 77.4 \text{ points.}$$

$$\text{Proposal B: } 80 \times 0.70 + 100 \times 0.30 = 86 \text{ points}$$

$$\text{Proposal C: } 90 \times 0.70 + 91 \times 0.30 = 90.3 \text{ points.}$$

The three proposals in the combined technical and financial evaluation were ranked as under:

Proposal A: 77.4 points : H3

Proposal B: 86 points : H2

Proposal C: 90.3 points : H1

Proposal C at the evaluated cost of Rs.110 was, therefore, declared as winner and recommended for negotiations/approval, to the competent authority.

3.12.5 Under QBS method, the consultant who has secured first rank in technical evaluation shall be called for further negotiation after opening and evaluation of its financial proposals.

3.12.6 The Name of the successful bidder along with details of cost etc. shall be posted on the departmental website after the award to the successful bidder has been made and communicated to him in writing.

3.13 Negotiations and Award of Contract

3.13.1 Negotiations are not an essential part of the selection process. In many cases, however, it is felt necessary to conduct negotiations with the selected consultant. Negotiations shall include discussions of the TOR, the methodology, staffing, Government Department's inputs, and special conditions of the contract. These discussions shall not substantially alter the original TOR or the terms of the contract, lest the quality of the final product, its cost, and the relevance of the initial evaluation be affected. The final TOR and the agreed methodology shall be incorporated in "Description of Services," which shall form part of the contract.

3.13.2 Financial negotiations shall only be carried out if due to negotiations as mentioned in para 3.13.1 above, there is any change in scope of work which has any financial bearing on the final prices or if the costs/cost elements quoted are not found to be reasonable. In such negotiations, the selected firm may also be asked to justify and demonstrate that the prices proposed in the contract are not out of line with the rates being charged by the consultant for other similar assignments. **However, in no case such financial negotiation should result into increase in the financial cost as originally quoted by the consultant and on which basis the consultant has been called for the negotiations.**

3.13.3 If the negotiations with the selected consultant fail, the engaging Department shall cancel the bidding procedure and re-invite the bids.

3.14 Rejection of All Proposals, and re-invitation

The Government Department will have the right to reject all proposals. However, such rejections should be well considered and normally be in cases where all the bids are either substantially in deviation to the TOR or considered unreasonably high in cost and in latter case, the lowest qualified bidder during negotiations fails to reduce the costs to a reasonable level. If it is decided to reinvite the bids, the terms of reference should be critically reviewed / modified so as to address the reasons of not getting any acceptable bid in the earlier Invitation for Bids.

3.15 Confidentiality

Information relating to evaluation of proposals and recommendations concerning awards shall not be disclosed to the consultants who submitted the proposals or to other persons not officially concerned with the process, until the award of contract is notified to the successful firm.

Part - 4

OTHER METHODS OF SELECTION**4.1 Selection through Direct Negotiations (Single Source Selection)**

4.1.1 Selection of consultants through direct negotiations does not provide the benefits of competition in regard to quality and cost, lacks transparency in selection, and could encourage unacceptable practices. Therefore, single-source selection shall be used only in exceptional cases.

4.1.2 This method of selection may be adopted only if it presents a clear advantage over competition and under circumstances as mentioned in para 1.5.3.

4.1.3 When continuity for downstream work is essential, the initial RFP shall outline this prospect, and, if practical, the factors used for the selection of the consultant should take the likelihood of continuation into account. Continuity in the technical approach, experience acquired, and continued professional liability of the same consultant may make continuation with the initial consultant preferable to a new competition subject to satisfactory performance in the initial assignment. For such downstream assignments, the Department shall ask the initially selected consultant to prepare technical and financial proposals on the basis of TOR furnished by the Department, which shall then be negotiated.

4.1.4 If the initial assignment was not awarded on a competitive basis or was awarded under tied financing or reserved procurement or if the downstream assignment is substantially larger in value, a competitive process shall normally be followed in which the consultant carrying out the initial work is not excluded from consideration if it expresses interest.

4.1.5 For selecting a consultant under this method, the engaging Department should prepare a full justification and take the approval of the competent authority, which normally should not be below the rank of a head of department.

4.1.6 While selecting the consultant under this method, the engaging Department shall ensure that the consultant has the requisite qualification and experience to undertake the assignment. Normally the engaging Department shall adopt the same short listing criteria as applied to similar assignments while evaluating the EOF

4.2 Selection of Service Providers:

Government Departments are also often engaging various service providers such as, for upkeep and maintenance of office (other than Civil & Electrical Works etc.), transport services etc. In such cases, which are generally low value contracts, it may not be necessary to take separate technical and financial proposals. In such case CBS method of selection can be used, after stating the minimum qualifying criteria (such as past experiences etc.).

4.3 Procurement Agents (PAs). When a Govt. department lacks the necessary organization, resources or experience, it may be efficient and effective for it to employ, as its agent, a firm that specializes in handling procurement. When PAs provide only advisory services for procurement and do not act as “agents” and are not paid a percentage fee at all, they shall be selected following the

appropriate procedures as for other consulting assignments, specified in these Guidelines.

4.4 Inspection Agents. Government Departments may wish to employ inspection agencies to inspect and certify goods prior to shipment or on arrival in the Government Department /Country. The inspection by such agencies usually covers the quality and quantity of the goods concerned. Inspection agencies may be selected using two bid system procedures and using a contract format with payments based on a percentage of the value of goods inspected and certified.

Part - 5

TYPES OF CONTRACTS

5.1 Lump Sum (Firm Fixed Price) Contract: Lump sum consultancy contracts are used mainly for assignments in which the content and the duration of the services and the required output of the consultants are clearly defined. They are widely used for simple planning and feasibility studies, environmental studies, detailed design of standard or common structures, preparation of data processing systems, and so forth. Payments are linked to outputs (deliverables), such as reports, drawings, bills of quantities, bidding documents, and software programs. While lump sum consultancy contracts are easy to administer because payments are due on clearly specified outputs, it is essential that the terms of payments for these consultancy contracts are linked with the output and the time frame within which each of the defined activities are to be completed. This type of contracts shall normally be used by all Government Departments for hiring services of the consultants under this guideline.

5.2 Time-Based Contract: This type of contract is appropriate when it is difficult to define the scope and the length of services, either because the services are related to activities by others for which the completion period may vary, or because the input of the consultants required to attain the objectives of the assignment is difficult to assess. This type of contract is widely used for complex studies, supervision of construction, advisory services, etc. Payments are based on agreed hourly, daily, weekly, or monthly rates for staff (who are normally named in the contract) and on reimbursable items using actual expenses and/or agreed unit prices. The rates for staff include salary, social costs, overhead, fee (or profit), and, where appropriate, special allowances. This type of contract shall include a maximum amount of total payments to be made to the consultants. This ceiling amount should include a contingency allowance for unforeseen work and duration, and provision for price adjustments, where appropriate. **Time-based contracts need to be closely monitored and administered by the Department to ensure that the assignment is progressing satisfactorily and that payments claimed by the consultants are appropriate.**

5.3 Retainer and/or Contingency (Success) Fee Contract

Retainer and contingency fee contracts are widely used when consultants (banks or financial firms) are preparing companies for sales or mergers of firms, notably in privatization operations. The remuneration of the consultant includes a retainer and a success fee, the latter being normally expressed as a percentage of the sale price of the assets.

5.4 Percentage Contract

These contracts are commonly used for architectural services. They may be also used for procurement and inspection agents. **Percentage contracts directly relate the fees paid to the consultant to the estimated or actual project construction cost, or the cost of the goods procured or inspected.** The selection is made based on two stage bidding. The final selection is made among the technically qualified consultants who has quoted the lowest percentage while the notional value of assets is fixed. **It should be borne in mind that in the case of architectural or engineering services, percentage contracts implicitly lack incentive or economic design and are hence**

discouraged. Therefore, the use of such a contract for architectural services is recommended only if it is based on a fixed target cost and covers precisely defined services.

5.5 Indefinite Delivery Contract (Price Agreement). These contracts are used when a Department needs to have “on call” specialized services to provide advice on a particular activity, the extent and timing of which cannot be defined in advance. These are commonly used to retain “advisers” for implementation of complex projects (for example, dam panel), expert adjudicators for dispute resolution panels, institutional reforms, procurement advice, technical troubleshooting, and so forth, normally for a period of a year or more. The Government Department and the firm agree on the unit rates to be paid for the experts, and payments are made on the basis of the time actually used. The consultant shall be selected based on the unit rate quoted by them for providing the services.

Part-6**IMPORTANT PROVISIONS IN RFP/CONTRACT**

6.1. **Currency.** Under normal circumstances, all the contracts should be based on Indian Rupees only. However, for exceptional case, contracts in foreign currency may be permitted with prior approval of competent authority. RFPs shall clearly state that firms may express the price for their services, in the currency specified in RFP, If RFP allows proposals in any other currency, the date and the exchange rate for converting all the bid prices to Indian Rupees shall be indicated in RFP.

6.2 **Payment Provisions.** Payment provisions, including amounts to be paid, schedule of payments, and payment procedures, shall be agreed upon during negotiations vis-a-vis RFP and also indicated in the draft contract. Payments may be made at regular intervals (as under time-based contracts) or for agreed outputs (as under lump sum contracts). Payments for advances if any should normally be backed by Bank Guarantee. The limit for advance payment will be as prescribed in West Bengal Financial Rules. Normally, it should not exceed 10% of the cost of the contract. Any advance payment should be backed by a bank guarantee.

6.3 **Bid Securities and bid processing fees.** The consultants submitting the proposals shall provide bid security along with their proposal. The amount, form and mode of submission of bid security and the method of refund of the bid security shall be specified in the RFP document. The engaging Department may also charge an appropriate bid processing fees, which is not refundable. However, for smaller assignment, the engaging Department may waive the requirement of bid security.

6.4 **Conflict of Interest.** The consultant shall not receive any remuneration in connection with the assignment except as provided in the contract. The consultant and its affiliates shall not engage in consulting activities that conflict with the interest of the client under the contract and shall be excluded from downstream supply of goods or construction of works or purchase of any asset or provision of any other service related to the assignment other than a continuation of the “Services” under the ongoing contract. It should be the requirement of the consultancy contract that the consultants should provide professional, objective and impartial advice and at all times hold the client’s interests paramount, without any consideration for future work, and that in providing advice they avoid conflicts with other assignments and their own corporate interests. Consultants shall not be hired for any assignment that would be in conflict with their prior or current obligations to other clients, or that may place them in a position of being unable to carry out the assignment in the best interest of the Engaging Department. Without limitation on the generality of the foregoing, consultants shall not be hired, under the circumstances set forth below:

a) **Conflict between consulting activities and procurement of goods, works or services:** A firm that has been engaged to provide goods, works, or services for a project, and each of its affiliates, shall be disqualified from providing consulting services related to those goods, works or services. Conversely, a firm hired to provide consulting services for the preparation or implementation of a project, and each of its affiliates, shall be disqualified from subsequently providing goods, works or services for such preparation or implementation.

b) **Conflict among consulting assignments:** Neither consultants (including their personnel and sub-consultants) nor any of their affiliates shall be hired for any assignment that, by its nature, may be in conflict with another assignment of the consultants. As an example, consultants hired to prepare engineering design for an infrastructure project shall not be engaged to prepare an independent environmental assessment for the same project, and consultants assisting a client in the privatization on public assets shall neither purchase nor advise purchasers of, such assets. Similarly, consultants hired to prepare Terms of Reference (TOR) for an assignment shall not be hired for the assignment in question.

c) **Relationship with Government Ministry/Department's staff:** Consultants (including their personnel and sub-consultants) that have a business or family relationship with such member(s) of the Department's staff or with the staff of the project implementing agency, who are directly or indirectly involved in any part of; (i) the preparation of the TOR of the contract, (ii) the selection process for such contract, or (iii) supervision of such contract; may not be awarded a contract unless it is established to the complete satisfaction of the employing authority, for the reason to be recorded in writing, that such relationship would not affect the aspects of fairness and transparency in the selection process and monitoring of consultant's work.

6.5 Unfair Competitive Advantage

Fairness and transparency in the selection process require that consultants or their affiliates competing for a specific assignment do not derive a competitive advantage from having provided consulting services related to the assignment in question. To that end, the request for proposals and all information would be made available to all short listed consultants together.

6.6 **Professional Liability.** The consultant is expected to carry out its assignment with due diligence and in accordance with prevailing standards of the profession. As the consultant's liability to the engaging Department will be governed by the applicable law, the contract need not deal with this matter unless the parties wish to limit this liability. If they do so, they should ensure that (a) there must be no such limitation in case of the consultant's gross negligence or wilful misconduct; (b) the consultant's liability to the engaging Department may in no case be limited to less than the total payments expected to be made under the consultant's contract, or the proceeds the consultant is entitled to receive under its insurance, whichever is higher; and (c) any such limitation may deal only with the consultant's liability toward the engaging Department and not with the consultant's liability toward third parties.

6.7 **Staff Substitution.** During an assignment, if substitution is necessary (for example, because of ill health or because a staff member proves to be unsuitable, or the member is no longer working with the consultant), the consultant shall propose other staff of at least the same level of qualifications for approval by the Engaging Department. The contract must specifically make provision for terms and conditions under which the staff can be replaced, about the remuneration to be paid etc.

6.8 **Applicable Law and Settlement of Disputes.** The contract shall include provisions dealing with the applicable law, which should be the law applicable in India and the forum for the settlement of disputes.

6.9 Training or Transfer of Knowledge

If the assignment includes an important component of training or transfer of knowledge to Government/Project staff, the Terms of Reference (TOR) shall indicate the objectives, nature, scope, and goals of the training program, including details on trainers and trainees, skills to be transferred, time frame, and monitoring and evaluation arrangements. The cost for the training program shall be included in the consultant's contract and in the budget for the assignment.

6.10 Standards of ethics: Government Department as well as consultants should observe the highest standard of ethics during the selection and execution of such contracts.

(a) In pursuance of the above objective, this policy defines, the terms set forth below as follows:

“corrupt practice” means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the selection process or in contract execution; and

“fraudulent practice” means a misrepresentation or omission of facts in order to influence a selection process or the execution of a contract,

“Collusive practice” means a scheme or arrangement between two or more consultants, with or without the knowledge of the engaging Department, designed to establish prices at artificial non-competitive levels.

“Coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in a procurement process, or affect the execution of a contract.

(b) It is further provided that :-

(i) Engaging Department will reject a proposal for award if it determines that the consultant recommended for award has engaged in corrupt or fraudulent activities in competing for the contract in question;

(ii) The Government will declare a consultant ineligible, either indefinitely or for a stated period of time, to be awarded a Government contract if it at any time determines that the consultant has engaged in corrupt or fraudulent practices in competing for, or in executing, a contract; and

The engaging Department has the right to require that, in contracts, a provision be included requiring consultants to permit the engaging Department to inspect their accounts and records relating to the performance of the contract and to have them audited by auditors appointed by the engaging Department.

6.11 Monitoring of the Contract: The Department awarding the consultancy contract should be involved throughout in monitoring the progress of the assignment. Suitable provision for this should be made in the contracts which should also take care of the need to terminate / penalize the contractor or to suspend payments till satisfactory progress has not been achieved.

Part-7**SELECTION OF INDIVIDUAL CONSULTANTS**

7.1. Individual consultants are normally employed on assignments for which (a) teams of personnel are not required, (b) no additional outside professional support is required, and (c) the experience and qualifications of the individual are the paramount requirement.

7.2. Selection of Individual consultants shall be carried out by advertising the requirement in at least one national newspaper of repute. Selection shall be based on their qualifications for the assignment. They shall be selected through comparison of qualifications of at least three candidates among those who have expressed interest in the assignment or have been approached directly by the Engaging Department. Individuals employed by Engaging Department shall meet all relevant qualifications and shall be fully capable of carrying out the assignment. Capability is judged on the basis of academic background, experience, and, as appropriate, knowledge of the local conditions, such as local language, culture, administrative system, and government organization.

7.3. Selection will be carried out by the CTEC as mentioned in para 1.6 which will award marks for the educational qualifications and experience and select the most suitable candidate for the assignment. The CTEC may also interview the candidates and award marks for their performance in the interview and recommend the remuneration to be paid.

7.4. From time to time, permanent staff or associates of a consulting firm may be available as individual consultants. In such cases, the conflict of interest provisions described in these Guidelines shall apply to the parent firm.

7.5 Individual consultants may be selected on a direct negotiation basis with due justification in exceptional cases such as: (a) tasks that are a continuation of previous work that the consultant has carried out and for which the consultant was selected competitively; (b) assignments lasting less than six months; (c) emergency situations resulting from natural disasters; and (d) when the individual is the only consultant qualified for the assignment.

Annexure I

Format for simplified evaluation of quality.

Name of the consultancy firm:

1. Responsiveness

Serial No.	Item	Required Response
1.	Has the consultant paid the RFP document fees ?	Yes
2.	Has the consultant submitted the requisite bid processing fee and bid security?	Yes
3.	Have all the pages required to be signed by the authorized representative of the consultant been signed ?	Yes
4.	Has the power of attorney been submitted in the name of authorized representative ?	Yes
5.	In the case of TV/consortium, whether the MOU has been submitted.	Yes
6.	Has the consultant submitted all the required forms of the technical proposal ?	Yes
7.	Does the technical proposal contain any financial information ?	No
8.	Is financial proposal submitted separately in a sealed cover ?	Yes

2. Evaluation of proposal.

Serial No.	Item	Required Response
1.	Does the consultancy firm have the required experience?	Yes
2.	Does the proposed methodology of work fulfill the objectives of the assignment/job till the last detail of the TOR?	Yes
3.	Do the methodology, work plan and staffing schedule provide coverage of the entire scope of work as described in TOR?	Yes
4.	Does the team leader fulfill the minimum educational qualification and experience criteria?	Yes
5.	Has the consultant provided for all the professionals for requisite expertise?	Yes
6.	Does the key professional (indicate the position) fulfill the minimum educational qualification and experience criteria? [Evaluate for all the proposed key personnel]	Yes
7.	Are the staffing schedule including the key professionals proposed, the responsibility assigned to them and the support staff together adequate for performing the entire scope of work indicated in the TOR?	Yes

Note: If the answer is yes, in all the cases except for 1.7, the consultancy firm is considered technically qualified for the assignment.

Annexure II

Format for detailed evaluation of quality.

Summary Sheet

(Compiled from II-A, II-B, II-C, II-D)

(Only for proposals considered as responsive)

Serial no.	Name of the consultant	Firm's experience (Max. Marks)	Methodology & work schedule (Max. Marks)	Qualifications of key professionals (Max. Marks)	Total Marks. (Max. Marks 100)

II-A

Responsiveness

Name of the Consultancy Firm

Serial No.	Item	Required Response
1.	Has the consultant paid the RFP document fees?	Yes
2.	Has the consultant submitted the requisite bid processing fees and bid security?	Yes
3.	Have all the pages required to be signed by the authorised representative of the consultant been signed?	Yes
4.	Has the power of attorney been submitted in the name of the authorised representative?	Yes
5.	In the case of JV/Consortium, whether the MOU/Contract Agreement has been submitted?	Yes

6.	Has the consultant submitted all the required forms of the technical proposal?	Yes
7.	Has the consultant provided all the professionals for the requisite expertise?	Yes
8.	Does the technical proposal contain any financial information?	No
9.	Is the financial proposal submitted separately in a sealed cover?	Yes

II-B

Evaluation of Consultancy Firm’s Experience

Serial no.	Name of the consultancy firm	Number of projects of similar nature	Marks awarded (Max. Marks)

II-C

Evaluation of Methodology & Work Schedule

Serial No.	Name of the consultancy firm	Understanding of TOR (Max. Marks)	Work plan & Methodology (Max. Marks).	Organization and staffing for the proposed assignment (Max. Marks)	Total

II-D

Evaluation of the Consultants Key Professionals

Name of the Consultancy Firm :

Serial No.	Name of the key professionals	Educational qualification	Max. Marks	No. of projects of similar nature	Max. Marks	Experience of the region (No. of projects in the region)	Max. Marks	Total Marks (4+6+8)
1	2	3	4	5	6	7	8	9

Government of West Bengal
Finance Department
Audit Branch

No. 479-F(Y)

Dated 28th January, 2016

MEMORANDUM

A new provision was inserted namely Rule 47D in WBFR vide FD notification no. 5400-F(Y) dt. 25.6.12 to facilitate execution of works through agencies enumerated in Annexure- C & D under the said rule. Annexure-C includes state PSUs and Annexure-D Central PSUs. The intention of the Government was to enable the non-works departments to execute the works which could not be undertaken by Works Departments of the Government on priority basis, through these agencies against an agency fee which is fixed at a maximum of 8.5 per cent depending upon the nature of the works.

Although it has been stipulated in Rule 47D that the works estimate should be based on the PWD SOR for works within the state, it has been seen that in many cases, the estimates are prepared on SOR not necessarily of PWD but also of CPWD especially in those cases where execution of works is done through the central PSUs. Besides, most of these central PSU's invite tender for execution of the work through their own portal instead of the state Government e-tender portal and the participants in the e-tender are mostly those who are already registered with the respective Central PSU's. This contravenes the state Government order issued vide notification no. 6932-F(Y) dt.29.8.13 which enjoined procurement valued at and above Rs.5 lakh through e-tender using its portal <https://wbtenders.gov.in>. wef 1.10.13. Besides, the State Government has reviewed this procedure of execution of works through agencies against the agency fee which is calculated on the estimated cost based on the SOR of CPWD and decided to take steps to discontinue the system of engaging Central PSU's as state agency for works execution under Rule 47D.

Therefore, the undersigned is directed to delete Annexure-D under Rule 47D of WBFR to discontinue the system of engaging the central PSU's enumerated in the said Annexure as agency for execution of works of the State Government and organisations funded by the State Government. However, Central PSU's may participate in the state Government tenders, and execute works if selected through the e-tender process as applicable to the State Government.

This order will come into effect immediately. Contract/MOU which has already been executed by any state Government office/organisation with any central PSU in terms of Rule 47D need not be revisited.

Necessary amendment will be made in WBFR in due course.



(H.K. Dwivedi)
Principal Secretary to the
Government of West Bengal

No. 479/1 (500)-F(Y).

Dated 28th January, 2016.

Copy forwarded for Information and necessary action to :-

- 1) The Principal Accountant General (A & E), West Bengal,
Treasury Buildings, 2, Government Place (West), Kolkata-700 001.
- 2) The Principal Accountant General (Audit), West Bengal,
Treasury Buildings, 2, Government Place (West), Kolkata-700 001.
- 3) The Accountant General (Receipt, Works and Local Bodies Audit), West Bengal,
C.G.O. Complex, 'C' East Wing, 5th Floor, Sector-I, Salt Lake, Kolkata-700 064.
- 4) The Chief Secretary to the Government of West Bengal.
- 5) The Resident Commissioner, Government of West Bengal
A/2, State Emporia Buildings, Baba Khari Singh Marg, New Delhi-110 001.
- 6) The Additional Chief Secretary / Principal Secretary / Secretary,
..... Department, Government of West Bengal.
- 7) The Secretary, Finance (Audit) Department, Government of West Bengal.
- 8) The Commissioner,Division,
.....
- 9) The Special Secretary/Additional Secretary/Joint Secretary/Deputy Secretary,
Finance Department, Government of West Bengal.
- 10) The O.S.D. & Ex-Officio Joint Secretary, Finance (Budget)
— He is requested to upload this order in the Finance Department's website
- 11) The Department/Directorate
.....
- 12) The Director of Treasuries and Accounts, West Bengal, New India Assurance Buildings
(2nd and 3rd Floor), 4, Lyons Range, Kolkata-700 001
- 13) The Director,
.....
- 14) The District Magistrate / District Judge, Superintendent of Police,
.....
- 15) The Sub-Divisional Officer,
.....
- 16) The Pay & Accounts Officer, Kolkata Pay & Accounts Office-I,
81/2/2, Phears Lane, Kolkata-700012
- 17) The Pay & Accounts Officer, Kolkata Pay & Accounts Office-II,
P-1, Hyde Lane, Jawahar Building, Kolkata-700073.
- 18) The Pay and Accounts Officer, Kolkata Pay and Accounts Office-III,
I.B. Market, First Floor, Sector-III, Salt Lake, Kolkata-700 106.
- 19) The Treasury Officer,
.....
- 20) The Group/Branch, Finance Department
.....

Joint Secretary to the
Government of West Bengal

Government of West Bengal
Finance Department
Audit Branch

No. 4986 - F(Y)

Date : 21.9.16

**Sub : Financial Advisors - routing of files to Finance Department
and making e-tender / e - Auction mandatory**

The Financial Advisor setup was introduced for the different departments of the State Government vide FD Memo No. 152-FB dated 27.04.2012 and Memo No. 1056-FB dated 10.09.2012. In both these orders and the subsequent orders issued thereon, the duties and responsibilities of the FA were stipulated.

However, it has been observed that many administrative departments are not fully utilising the FA system within their departments in various matters related with budget management, tender and procurement, other financial matters especially related to schemes, etc. and administrative departments are also sending files to Finance Department without the specific views of the FA of the Department. As a result many times Finance Department is compelled to return such files to the administrative department for resubmission with the views of FA causing undue delay in policy making and execution of important projects of the State Government.

Therefore, in order to save valuable time of the Government and in public interest it is reiterated that administrative departments should mandatorily utilise the FA system within their departments in various matters related with budget management, tender and procurement, other financial matters especially related to schemes, etc. and the files should invariably be routed to the appropriate Group of the Finance Department with the specific views of FA of the Department on that subject / issue and approval of the Additional Chief Secretary / Principal Secretary / Secretary. Any deviation in this regard will naturally lead to unnecessary delay.

Further, in continuation of Memo No. 4143-F(Y) dated 11.08.2014 it is again reiterated that the Departments and the Financial Advisors shall release grants / subsidies to PSUs / Local Bodies / Statutory Bodies / Development Authorities, etc. and other parastatals only if the certificate regarding e-tender / e-Procurement as detailed in Memo No. 4143-F(Y) dated 11.08.2014 is provided by the competent authority of the organisation and countersigned by the designated officer of the administrative department.



(H.K.Dwivedi)
Principal Secretary to the
Government of West Bengal

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata-700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata - 700001.
3. Accountant General (Receipt, Works & Local Bodies Audit), West Bengal, CGO Complex, 3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary/Principal Secretary/Secretary, Department
5. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary, Finance Department.
6. Commissioner, Division,
7. Director,
8. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd Floor, Kolkata-700001.
9. District Magistrate / District Judge / Superintendent of Police,.....
10. Sub-Divisional Officer,
11. Block Development Officer,
12. The Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata-700012
13. The Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Jawahar Building, Kolkata-700073.
14. The Pay and Accounts Officer, Kolkata Pay and Accounts Office-III, I.B. Market, First Floor, Sector-III, Salt Lake, Kolkata-700 106.
15. Treasury Officer,
16. Group/Branch, Finance Department.
17. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to upload copy of this order in the website of Finance Department.



Dy. Secretary to the
Government of West Bengal

**Government of West Bengal
Finance [Audit] Department
10th Floor, "NABANNA"
Mandirtala, Howrah - 711 102**

No. : 5152-F(Y)

Date : the 28th September, 2016

**Sub : Nomination of Financial Advisors as representatives of
Finance Department in the tender committees/bid evaluation
committee of the Administrative Department.**

The State Government for some time has been considering the increasing the scope of utilization of the services of Financial Advisors of administrative Departments in respect of tender, procurement and other financial matters in a better manner.

It has also recently been observed that the administrative departments are sending proposals to the Finance Department for nominating a representative of the Finance Department in the Departmental tender committees.

It is not always possible to depute a senior Finance Department official in the tender committees of the department. Moreover, it also results in the delay in finalization of tender process.

Finance Department in its earlier order vide Memo No. 4986-F(Y) dated 21.09.2016 have impressed upon the optimal utilization of the services of Financial Advisors.

Now in the interest of greater financial propriety, transparency & public interest, it is ordered that the FA of the concerned Department will be mandatorily co-opted in the Departmental tender committees/bid evaluation committee for auction/PPP projects as representative of the Finance Department.

Sd/- H.K. Dwivedi
Principal Secretary to the
Government of West Bengal

No.5152//1(500)-F(Y)

Dated, the 28th September, 2016

Copy forwarded for information and necessary action to :-

- 1) The Principal Accountant General (A&E) West Bengal, Treasury Buildings, Kolkata-1.
- 2) The Principal Accountant General (Audit) West Bengal, Treasury Buildings, Kolkata-1
- 3) Accountant General(Receipt, Works & Local Bodies Audit), West Bengal, CGO Complex, 3rd MSG Building, 5th floor, Block DF, Sector-I, Salt Lake, Kolkata -700064.
- 4) The Additional Chief Secretary/Principal Secretary/Secretary,
.....Deptt.
- 5) Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary, Finance Department
- 6) The Commissioner,Division
.....
- 7) The Director,.....
.....
- 8) Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd floor,Kolkata -700001.
- 9) The District Magistrate/District Judge/ Superintendent of Police
.....
- 10) The Sub-Divisional Officer,
.....
- 10) Block Development Officer,
.....
- 11) The Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata- 700012.
- 12) The Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Kolkata-700 073.
- 13) The Pay & Accounts Officer, Kolkata Pay & Accounts Office-III, IB Market, 1st floor, Block-IB, Sector-III, Salt Lake, Kolkata-700106.
- 14) The Treasury Officer,
.....
- 15) Group/ /Branch, Finance Department
- 16) Sri Sumit Mitra, Network Administrator Finance (Budget) Department
He is requested to upload copy of this order in the website of Finance Department



Deputy Secretary to the
Government of West Bengal

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

Memo No. 7415-F(Y)

Dated, 4th December, 2017

MEMORANDUM

**Sub: Applicability of West Bengal Financial Rules (WBFR) for all
Procurements and Works in all parastatals including the
procurements and works funded from their own source of fund**

As per Rule 47(8) and other related provisions of WBFR and orders issued by Finance Department from time to time, Open Tender/Quotations/Auctions (including e- Tender/e- Auctions) are required to be invited by all State Government offices and State- owned PSUs, Local Bodies, Statutory and Autonomous Bodies, Societies, Commissions, Samitis, Authorities, Boards, Universities, Federations and other Parastatals under the administrative control of Government of West Bengal.

2. It is hereby reiterated that such above mentioned Offices including Grants-in-Aid Institutions should invariably follow Tender/Quotation/Auction/Procurement (including e-Tender/e-Auction) Rules and procedures for procurement of goods and services as well as execution of Works from any source of fund including the works and procurements funded from their own source as well as fund received from any Government/any other sources.

3. Any procurement made or works executed in violation of these provisions henceforth shall not be treated as valid.

4. In this regard, the Chief Executive Officer/Executive Officer/Engineer-in-Charge/Administrative Head/Financial Head and other office bearers of such organization will be responsible for implementing the WBFR in letter and spirit.



(H.K. Dwivedi, IAS)
Principal Secretary to the
Government of West Bengal
Finance Department

Memo No. 7415/1(500)-F(Y)

Dated, 4th December, 2017

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata - 700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata - 700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex,
3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary / Principal Secretary / Secretary,
.....Department. **He is requested to circulate the same among all the parastatals under the administrative control of his Department.**
5. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary,
Finance Department.
6. Financial Advisor, Department.
7. Commissioner, Division,
8. Director,
9. Director of Treasuries & Accounts, West Bengal, Mitra Building,
8, Lyons Range, 3rd Floor, Kolkata - 700001.
10. District Magistrate / District Judge / Superintendent of Police,
11. Sub-Divisional Officer,
12. Block Development Officer,
13. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I,
81/2/2, Phears Lane, Kolkata-700012.
14. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II,
P-1, Hyde Lane, Kolkata - 700073.
15. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III,
IB Market, 1st Floor, Block IB, Sector III, Salt Lake, Kolkata - 700106.
16. Treasury Officer,
17. Group/..... Branch, Finance Department.
18. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to
upload a copy of this order on the website of Finance Department.



Assistant Secretary to the
Government of West Bengal

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

No. 4328-F(Y)

Dated 6th July, 2018

MEMORANDUM

Sub: Revised list of Agencies to execute Government works under Rule 47D of WBFR

In partial modification of FD Memo No. 2867-F(Y) dated 11.05.2017 and other orders issued in this regard, the Annexure C under Rule 47D of WBFR will consists of only the following organizations:

- i. Development Authorities under Urban Development & Municipal Affairs Department.
 - ii. Other State Organizations/Corporations to be selected by the Finance Department on case-to-case basis.
2. This order will take immediate effect. However, the projects where the work orders have already been issued by organizations who were in Annexure C of Rule 47D of WBFR earlier before issuance of this order, they may continue said works till completion of such projects.



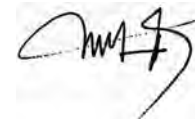
(H.K. Dwivedi)
Additional Chief Secretary to the
Government of West Bengal

No. 4328/1(250)-F(Y)

Dated 6th July, 2018

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata-700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata-700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex,
3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary/Principal Secretary/Secretary, Department.
He is requested to circulate this Memo, to all parastatals under the administrative control of his department.
5. Commissioner/Special Secretary/Additional Secretary/Joint Secretary/Deputy Secretary,
Finance Department.
6. Commissioner,Division,
7. Director of Treasuries & Accounts, West Bengal, Mitra Building,
8, Lyons Range, 3rd Floor, Kolkata-700001.
8. Financial Advisor, Department.
9. District Magistrate,
10. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I,
81/2/2, Phears Lane, Kolkata-700012.
11. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II,
P-1, Hyde Lane, Kolkata - 700073.
12. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III, Subhanna, SGO Complex,
5th & 6th Floor, Plot No.9 Block DF, Sector I, Bidhannagar, Kolkata - 700 064.
13. Treasury Officer,
14. Group/Branch, Finance Department.
15. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to
upload copy of this order in the website of Finance Department.



Joint Secretary to the
Government of West Bengal

Government of West Bengal
Finance Department
Audit Branch

Memo No. 971 - F(Y)

Dated, 1 February, 2018

ORDER

In partial modification of para 6 of Finance Department's Office Order No. 134-F(Y), dt. 04.01.2012, it has been decided that concurrence of Group-T of Finance Department will exclusively be required for all cases relating to the following matters:

- i) Hiring/Purchase of vehicles
- ii) Sanction of telephones /internet facility
- iii) Permission for Drawal of advances
- iv) Relaxation of tender rules.
- v) Opening of Bank Accounts of Government Offices

This order will take immediate effect.



(H.K. Dwivedi)
Additional Chief Secretary to the
Government of West Bengal
Finance Department

No. 971/1(150)-F(Y)**Dated: 16.02.2018**

Copy forwarded for information and necessary action to:

1. Additional Chief Secretary/Principal Secretary/Secretary, Department.
2. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary, Finance Department.
3. Financial Advisor, Department.
4. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd Floor, Kolkata -700001.
5. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata - 700012.
6. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Kolkata - 700073.
7. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III, Subhanna, SGO Complex, 5th & 6thFloor, Plot No.-9 Block-DF, Sector - I, Bidhannagar, Kolkata - 700 064.
8. Treasury Officer,
9. Group /Branch, Finance Department.
10. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to upload copy of this order in the website of Finance Department.

Assistant Secretary to the
Government of West Bengal

Government of West Bengal
Finance Department
Audit Branch

No. 4608-F(Y)

Dated, 18th July, 2018

MEMORANDUM

**Sub: Additional Performance Security when the bid rate is
80% or less of the Estimate put to tender and no increase
in scope of work of projects during execution phase.**

In tenders for Government works, bids are sometimes received at a much lower rate than the Estimated Amount put to tender. In such cases, to ensure the quality and proper execution of the work in public interest, the Governor is pleased to decide that Additional Performance Security @ 10% of the tendered amount shall be obtained from the successful bidder if the accepted bid value is 80% or less of the Estimate put to tender.

2. The Additional Performance Security shall be submitted in the form of Bank Guarantee from any Scheduled Bank before issuance of the Work Order. If the bidder fails to submit the Additional Performance Security within seven working days from the date of issuance of Letter of Acceptance, his Earnest Money will be forfeited and other necessary actions as per NIT like blacklisting of the contractor, etc, may be taken. The Bank Guarantee shall have to be valid up to end of the Contract Period and shall be renewed accordingly, if required.

3. The Bank Guarantee shall be returned immediately on successful completion of the Contract. If the bidder fails to complete the work successfully, the Additional Performance Security shall be forfeited at any time during the pendency of the contract period after serving proper notice to the contractor. Necessary provisions regarding deduction of security deposit from the progressive bills of the contractor as per relevant clauses of the contract shall in no way be altered/affected by provision of this Additional Performance Security.

4. Henceforth, necessary provision shall be incorporated in all Notice Inviting Tenders and shall be part of the Contract Agreement.

5. This order will take immediate effect and necessary amendment in the West Bengal Financial Rules shall be made in due course.



(H.K. Dwivedi)

Additional Chief Secretary to the
Government of West Bengal

No. 4608/1(500) -F(Y)**Date: 18th July, 2018**

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata - 700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata - 700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex,
3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary / Principal Secretary / Secretary,Department
5. Financial Advisor, Department.
6. Commissioner, Division,
7. Director,
.....
8. Director of Treasuries & Accounts, West Bengal,
Mitra Building,8, Lyons Range, 3rd Floor, Kolkata-700001.
9. District Magistrate / District Judge / Superintendent of Police,
.....
10. Sub-Divisional Officer,
11. Block Development Officer,
12. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I,
81/2/2, Phears Lane, Kolkata - 700012.
13. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II,
P-1, Hyde Lane, Kolkata - 700073.
14. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III,
IB Market, 1st Floor, Block IB, Sector III, Salt Lake, Kolkata - 700106.
15. Treasury Officer,
.....
16. Group/ Branch, Finance Department.
17. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to
upload copy of this order in the website of Finance Department.



Assistant Secretary to the
Government of West Bengal

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

No. 4609-F(Y)

Dated, 18th July, 2018

MEMORANDUM

**Sub: Splitting of works and/ or Increase in scope of
work of projects during execution phase**

Splitting of works, in general, is not allowed as per Rule 102 of WBFR. However, under exceptional circumstances, works are sometimes required to be splitted after taking express approval of the Administrative Department where the primary consideration of splitting is expediting the execution thereof.

2. It is hereby reiterated that such splitting of works shall not be resorted to unless where it is unavoidable. The purpose of splitting, shall under no circumstances, be done for evading the provisions of e-tender and/or for evading the financial powers of the sanctioning authority.

3. Further, after finalisation of the tender process, the scope of work should not be increased during period of execution. No additional/supplementary/substitute items should be considered beyond the already approved scope of work and estimate. Where the accepted bid rate is less than the estimated amount put to tender, the scope of work should not be increased to allow expenditure up to the administrative approved amount. However, routine and minor deviations, as permissible in PWD Code and WBFR, may be considered with the approval of competent authority if the same are absolutely essential for execution of work as per the already approved plan and design.

4. This order will take immediate effect and necessary amendment in the West Bengal Financial Rules shall be made in due course.



(H.K. Dwivedi, IAS)
Additional Chief Secretary to the
Government of West Bengal

No. 4609-F(Y)**Dated, 18th July, 2018**

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata - 700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata - 700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex,
3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary / Principal Secretary / Secretary,
..... Department
5. Financial Advisor, Department
6. Commissioner, Division,
7. Director,
.....
8. Director of Treasuries & Accounts, West Bengal, Mitra Building,
8, Lyons Range, 3rd Floor, Kolkata-700001.
9. District Magistrate / District Judge / Superintendent of Police,
.....
10. Sub-Divisional Officer,
11. Block Development Officer,
12. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I,
81/2/2, Phears Lane, Kolkata - 700012.
13. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II,
P-1, Hyde Lane, Kolkata - 700073.
14. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III,
IB Market, 1st Floor, Block IB, Sector III, Salt Lake, Kolkata - 700106.
15. Treasury Officer,
.....
16. Group / Branch, Finance Department.
17. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to
upload copy of this order in the website of Finance Department.



Assistant Secretary to the
Government of West Bengal

Government of West Bengal
Finance Department
Nabanna, Howrah

No 1355-F T

Dated 14th September, 2018

MEMORANDUM

Sub: Modalities for Market Value Assessment in the State

The market valuation database of land in the State is maintained at the Directorate of Registration & Stamp Revenue. The manner of providing the applicable Market Value for different specific requirements of various requisitioning authorities under the Government Departments, Organizations, Autonomous Bodies, Parastatals, etc. for purposes other than Registration of the said immovable property has been reviewed by the State Government.

2. Now, in partial modification of FD Memo No. 1899-F(Y) dated 24th March, 2018, the Governor is pleased to decide the appropriate Registering Authorities that shall provide the market valuation of immovable properties as follows:

- i. In cases where the total area of the subject land/property does not exceed 2 acre, the requisition for such market valuation in the appropriate Requisition Form shall be sent to the concerned Additional District Sub-Registrar or Sub-Registrar, as the case may be, who shall assess and provide the valuation of the subject land/property directly to the requisitioning authority.
- ii. In cases where the total area of the subject land/property exceeds 2 acre, the requisition for such market valuation in the appropriate Requisition Form shall be sent to the concerned District Registrar, who shall provide the valuation of the subject land/property after consultation with the concerned Registering Authority(s) under his control. However, before providing such valuation to the requisitioning authority the District Registrar shall :
 - a. Where the area does not exceed 10 acre, seek the concurrence of the Deputy Inspector General of Registration (DIGR) in-Charge of that Range.
 - b. Where the area exceeds 10 acre, seek the concurrence of the Inspector General of Registration (IGR) through the DIGR of that Range. The DIGR shall examine the matter and forward it to the IGR only if he agrees with the valuation.
- iii. In cases of valuations sought by Hon'ble Courts relating to Probate matters, the market valuation shall be provided by the concerned Registering Authority itself directly to the Court irrespective of the area involved.
- iv. In cases of valuation of special nature of projects like Townships, Industrial Parks, Entertainment Parks, PPP Projects, etc. the requisition in the appropriate Requisition Form shall be sent directly to the IGR irrespective of the area involved. In case of SI. No. 2 (i) & 2 (ii) (a) above, no further reference to the IGR is required. However, if the concerned ADSR/ District Registrar/DIGR is of the opinion that consultation with the IGR is necessary, they shall clearly indicate such points of consultation and seek views of the IGR before providing the market valuation of such subject land/property.

3 It is reiterated that in every case the requisition of market value from the respective Registering Authorities shall be made in the applicable Requisition Form for such purpose duly filled in incorporating all the necessary parameters as stated in the said Form. The sample Requisition Forms are available at <https://tinyurl.com/IGRvalue>.

4 The concerned Registering Authority **shall provide necessary assistance** to the requisitioning authority in filling the Requisition Form appropriately, if needed, and judicious attempts should be made so that improperly filled Requisition Forms due to lack of proper guidance/knowledge and incomplete information are prevented from submission at the first stage itself to expedite market value assessment and prevent any errors.

5 Before providing the market valuation to the requisitioning authority, the Registering Authorities shall do **due diligence** and judiciously apply their mind to arrive at the valuation. They shall examine the requisitions received considering **all necessary aspects and parameters**. For example, in case the proposed use of land is not available in the Registration System as a Classification of Land, the concerned Registering Authorities shall decide the appropriate applicable Classification with due application of mind and inform the requisitioning authority about the classification considered for assessment with the market value provided. Also, the Registering Authority **shall conduct spot enquiry(s)** in case felt necessary during any assessment. For example, in case of a proposed use as factory/warehouse/industry, a spot visit may be necessary to arrive at a conclusive decision regarding market valuation.

6. In all cases, on receipt of the requisition by any Registering Office either directly or at its subordinate offices, the market price should be communicated to the respective Requisitioning Authority **within 7 working days of the receipt of the requisition**.

7. This Order is issued with immediate effect.



(H.K. Dwivedi)

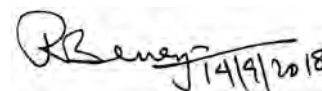
Additional Chief Secretary to the
Government of West Bengal

No. 1355/1(125)-F.T

Dated, the 14th September, 2018

Copy forwarded for information and necessary action to :-

1. The Additional Chief Secretary/Principal Secretary/Secretary, Department (All).
2. The Commissioner,Division (All).
3. The Inspector General of Registration & Commissioner of Stamp Revenue, West Bengal.
4. The District Magistrate, (All).
5. The Superintendent of Police, (All).
6. Sri Sumit Mitra, Network Administrator, Finance Department for uploading this Memorandum in the website of Finance Department.
7. Office copy.



Additional Secretary to the
Government of West Bengal
Finance Department.

Government of West Bengal
Finance Department
Audit Branch

No. 5965-F(Y)

Dated 14th September, 2018

MEMORANDUM

Sub: Role of Departmental Tender Committee

The Finance Department has issued guidelines from time to time regarding acceptance of tenders. However, the role of the Departmental Tender Committee has not been outlined as a separate Order.-References have been received from different Administrative Departments seeking clarification about the role of the Departmental Tender Committee in acceptance of tenders.

2. After careful consideration of the matter, it has been decided that the Administrative Departments, except the Works/Engineering Departments which have already constituted their Departmental Tender Committees, shall constitute a Departmental Tender Committee comprising of members including at least an officer in the rank of Joint Secretary or above as its Chairman, an Engineer/Technical Expert of appropriate seniority, the Financial Adviser, and any other officer as desired by the Additional Chief Secretary/Principal Secretary/Secretary of the Department.

3. The Departmental Tender Committee shall be responsible for evaluation and recommendation of tender related works including but not limited to the following:

- i. Scrutinize all the tender related documents to ascertain whether all the basic principles of public procurement have been followed;
- ii. Ensure that the necessary formalities as per guidelines issued by Finance Department from time to time have duly been observed by the Tender Inviting Authority;
- iii. Check the technical criteria including the necessary credentials in order to ensure that the technical criteria were not too restrictive and not fixed at a higher level than required for the project;
- iv. In case of Non-Schedule Items, the market rate of similar items or substitute items may also be compared. And after evaluation, if it is revealed that the discovered rate is unreasonably higher than the prevalent market rate/estimated cost then the Committee shall take a view on the reasonableness of the discovered rate; and
- v. Place the matter for approval of the appropriate authority in the Department after doing due diligence on the tenders.



(H.K. Dwivedi)
Additional Chief Secretary to the
Government of West Bengal

No. 5965/1(500)-F(Y)

Dated, 14th September, 2018

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata - 700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata - 700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex, 3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata -700064.
4. Additional Chief Secretary / Principal Secretary / Secretary,
..... Department, Govt of West Bengal.

He is requested to circulate this Memo, to all parastatals under the administrative control of his department.

5. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary, Finance Department.
6. Financial Advisor,Department
7. Commissioner, Division.
8. Director,
9. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd Floor, Kolkata - 700001.
10. District Magistrate / District Judge / Superintendent of Police,
11. Sub-Divisional Officer,
12. Block Development Officer,
13. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata-700012.
14. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-I, Hyde Lane, Kolkata - 700073.
15. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III, Subhanna, SGO Complex, 5th 85 6th Floor, Plot No.9 Block DF, Sector I, Bidhannagar, Kolkata - 700 064.
16. Treasury Officer,
17. Group...../.....Branch, Finance Department.
18. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to upload copy of this order in the website of Finance Department.

Joint Secretary to the
Government of West Bengal

e-Tender

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

No. 3739-F(Y).

Kolkata, the 3rd May, 2012

NOTIFICATION

Sub: Mandatory publication of Tender Inviting Notice on e-Tender Portal

For some time past the Government was considering improving the present system of inviting Tender by different Departments of the State Government with a view to establish accountability, transparency and uniformity in the system in a centralised manner.

Keeping in view the above object, the National Informatics Centre [NIC], an organisation of Government of India, developed a portal [<http://wbtenders.gov.in>] exclusively for uploading the tender related documents of the State Government.

The 'e-Procurement Solution' will help both the Government buyers and the suppliers to reduce the cycle time, unnecessary paper work, waiting in long queues and simultaneously enhance the transparency in the entire process thereby ensuring good governance. It is an easy-to-use, web-based solution for conducting dynamic exchanges in an on-line environment. It will provide real-time bidding solutions for the Government buyers and sellers. Some State Government Departments are already using this portal for inviting their e-Tender.

For the purpose of gainful utilisation of the said portal, the Governor has been pleased to decide that:

1. In addition to existing system of inviting tender, it will be mandatory for all State Government Departments, their subordinate Offices and all Autonomous Bodies/Local Bodies/Corporations/PSUs under their control to publish their Tender Related Information [TRI] on the centralized e-Tender Portal [<http://wbtenders.gov.in>] if the Tender Value is Rs.50 lakhs and above. The Tender Value less than Rs.50 lakhs may also be uploaded on the centralized e-Tender Portal [<http://wbtenders.gov.in>] at the discretion of the Tender floating authority or the concerned Department.
2. The Tender Related Information means and covers e-Procurement, e-Tendering, e-Selling and e-Auction, Request for Proposal, Request for Expression of Interest, Notice for Pre-Qualification, Registration of the Contractors, Notice inviting Tender/Bid or Proposal in any form, Tender Enquiries, Corrigenda and also the details of the contract awarded as a result of finalization of the Tender process.
3. The Departments or its subordinate offices that are already publishing their Tender Related Information on their own websites and/or on any other websites shall ensure that their Tender Related Information are simultaneously published/mirrored on the centralized e-Tender Portal [<http://wbtenders.gov.in>].
4. The Digital Signature Certificate, which is essential, for e-Tendering shall be obtained from the NIC-CA which is also acting as a Certifying Authority.
5. This Order shall take effect from 1st July 2012.

In order to facilitate implementation of aforesaid decisions regarding e-Publication of Tender Related Information on the centralized e-Tender Portal, the NIC will provide detailed guidelines for using the said Portal. The guidelines will also be available on the centralized e-Tender Portal [<http://wbtenders.gov.in>]. On registration by the Government user, 'User ID' and 'Password' will

be created and mailed to the users. The Government of West Bengal will also make arrangements for necessary training to the concerned officials, with technical support from NIC for the users of the e-Tendering Portal.

A Roadmap for implementation of the e-Procurement Process in the Government Departments is enclosed with this Order.

The Departmental heads are requested to circulate this Notification to their subordinate Offices and the Autonomous Bodies/Local Bodies/Corporations/PSUs under their control.

Sd/- H.K. Dwivedi.
Secretary to the
Government of West Bengal.

No. 3739/1(150)-F(Y)

Kolkata, the 3rd May, 2012.

Copy forwarded for information and necessary action to :-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit), West Bengal, C.G.O. Complex, 'C' East Wing, 5th Floor, Salt Lake, Sector-I, Kolkata-700 064.
4. The Additional Chief Secretary/Principal Secretary/Secretary,
.....Department.
5. The State Information Officer, National Informatics Centre, Bidyut Bhaban, Ground Floor, D.J. Block, Sector-II, Salt Lake, Kolkata-700 091.
6. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata - 700 001.
7. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - I, 81/2/2, Phears Lane, Kolkata - 700 012.
8. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - 11, P-1, Hyde Lane, Kolkata - 700 012.
9. The Treasury Officer,
10. Sr. P.A. to the Chief Secretary, Government of West Bengal.
11. Sr. P.A. to the Secretary, Finance Department, Govt, of West Bengal.
12.
13. Sri Sukumar Negel, Pr. Accounts Officer & Ex-Officio Deputy Secretary, Finance (Budget) Department, Writers Buildings, Kolkata-700001, for uploading the Notification in the Finance Department's website.



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

Roadmap for implementation of e-Procurement Process in the Government Departments

1. Each Department shall nominate at least one 'Nodal Officer' for implementation and monitoring of the **e-Procurement** in the respective department.
2. The Nodal Officer of the Department shall handover to NIC the organisation chart related to tendering in his Department mentioning the offices from where tenders will be floated or published in the Portal.
3. Nodal Officer shall apply to NIC for Digital Signature Certificate [DSC] as Nodal Officer on behalf of that Department for implementing e-Procurement.
4. The other Departmental Officers who will be authorised to float e-Tender under a Department shall be required to obtain DSC from NIC through the Nodal Officer of that Department. The cost of obtaining DSC from NIC is Rs.555/- per user. Application Form for Digital Signature Certificate [DSC] along with detailed information regarding Digital Signature Certificate is enclosed with this Roadmap.
5. For uploading the e-Tender document in the Tender Portal it will be required to have minimum two (2) authorised officers who have their own DSC. The DSC is neither transferable nor it can be delegated to other officer.
6. The DSC issued is Department specific and officer specific. So, it will not be possible for the authorised Officers (having DSC) of one Department to upload e-Tender of other Department.
7. In the headquarter, each Department shall nominate at least two officers who will be members of each Tender Committee under that Department, so that they can upload the e-Tender document in the Tender Portal on the authorisation of their DSC.
8. Similarly, in each District or Region (as per requirement of the Department) the Department shall nominate at least two officers who will be members of each Tender Committee on behalf of that Department, so that they can upload the e-Tender document in the Tender Portal on the authorisation of their DSC.
9. Summary information in respect of the Tender progress in relation to the Tender has to be uploaded in the web-server of the Tender Portal. Documents relating to 'Notice Inviting Tender' [NIT] shall be loaded as a .pdf file and the financial bid in the prescribed .xls format. For the financial bid NIC has developed three templates that have to be strictly adhered to. The Tendering Authority shall select any one of the three formats which will be suitable for them for that particular Tender. The software developed by NIC shall take care for selection of LI rates. The Software shall make automatic encryption of the Financial Bid and no one shall be allowed to open the Financial Bid prior to the date & time earmarked for opening the Financial Bid. Tender should normally be floated in two parts, one Technical bid and other Financial Bid. After evaluation of the Technical Bid, those who qualify their Financial Bid shall be opened.
10. (i) NIC at headquarter or at any central location, preferably within Writers Buildings, shall provide a "Helpdesk" to render necessary help to the authorised officers of the Departments within Kolkata (including Bidhannagar) to float e-Tender.
(ii) The District Information Officers [DIO] of NIC at the District shall provide a "Helpdesk" to render necessary help to the authorised officers of the Departments at the District level.

Necessary information regarding Digital Signature Certificate [DSC]

1. What is a Digital Signature Certificate?

Digital Signature Certificates (DSC) are the digital equivalent (that is electronic format) of physical or paper certificates. Examples of physical certificates are drivers' licenses, passports or membership cards. Certificates serve as a proof of identity of an individual for a certain purpose; for example, a driver's license identifies someone who can legally drive in a particular country. Likewise, a digital certificate can be presented electronically to prove your identity, to access information or services on the Internet or to sign certain documents digitally.

2. Why is Digital Signature Certificate (DSC) required?

Like physical documents are signed manually, electronic documents, for example e-forms are required to be signed digitally using a Digital Signature Certificate. Transactions that are done using Internet if signed using a Digital Signature certificate becomes legally valid.

3. Who issues the Digital Signature Certificate?

A licensed Certifying Authority (CA) issues the digital signature. Certifying Authority (CA) means a person who has been granted a license to issue a digital signature certificate under Section 24 of the Indian IT-Act 2000. The National Informatics Centre is also authorised to issue the Digital Signature Certificate.

4. What are the different types of Digital Signature Certificates valid for e- Tendering programmme?

The different types of Digital Signature Certificates are;

Class 2: Here, the identity of a person is verified against a trusted, pre-verified database.

Class 3: This is the highest level where the person needs to present himself or herself in front of a Registration Authority (RA) and prove his/ her identity.

5. What type of Digital Signature Certificate (DSC) is to be obtained for e-Filing on the e-Tendering Portal?

DSC of Class 2 and Class 3 category issued by a licensed Certifying Authority (CA) needs to be obtained for e-filing on the e-Tendering Portal.

6. How to obtain DSC for dept users?

NIC hqrs is authorised to issue the DSC for officials in Govt depts./PSUs and the fees are:

For Govt Officials Rs. 555 for USB e-Token (at present) The validity period for the Smart Card is 2 years.

The DD should be drawn in favour of "Accounts Officer, National Informatics Centre, New Delhi".

7. How much time do CAs take to issue a DSC?

The time taken by Certifying Authorities to issue a DSC may vary from three to seven days.

8. What is the validity period of a Digital Signature Certificate?

The Certifying Authorities are authorized to issue a Digital Signature Certificate with a validity of one or two years. The maximum period for which the DSC is issued is only two years. On the expiry of the term, the Digital Signature Certificate can be revalidated by paying the fees again.

9. What is the legal status of a Digital Signature?

Digital Signatures are legally admissible in a Court of Law, as provided under the provisions of IT.

10. Is a company required to obtain a Digital Signature Certificate in its own name for e-Tendering?

Digital Signature Certificate (DSC) is not required by Companies but by individuals. For example the Director or the Authorized signatory signing on behalf of the Company requires a DSC.

11. Can I do e-filing of documents if I do not possess a DSC?

No. It is mandatory to have a valid digital signature certificate for e-filing the forms on e-Tendering portal.

NIC Certifying Authority
National Informatics Centre
Ministry of Communications and Information Technology
Government of India

Ref. No.
 (To be filled by NICCA)

DIGITAL SIGNATURE CERTIFICATE REQUEST FORM

Affix Recent
 Passport Size
 Photograph

NOTE:

1. This application form is to be filled by the applicant.
 2. Please fill the form in BLOCK LETTERS.
 3. Please Tick (V) the appropriate option.
 4. All subscribers are advised to read Certificate Practice Statement of CA
 5. Incomplete/Inconsistent applications are liable to be rejected.
 6. Validity period should not exceed the date of superannuation of the applicant.
 7. Asterisk (*) marked entries should not be left blank as these are reflected In the Digital Signature Certificate.
1. Category of Applicant : Government Judiciary/PSU & Statutory Bodies / Registered Companies
 2. Class of Certificate Required (see pt. 11 at page 4) : Class I/Class II/Class III
 3. Certificate Required (Usage) (see pt. 11 at page i) : Individual (Signing)/Encryption/SSL Server
 4. Certificate Validity (Max. 2 Years) : Two years / Specify validity (if less than 2 years) _____
 5. Date of superannuation* (dd/mm/yyyy) : _____
 6. Name* : _____
 (First Name) (Middle Name) (Last Name)
 7. Designation : _____
 8. Email ID* (Official email-ID preferred) : _____
 9. Ministry/Departments) : _____
 a) Office Address : _____
 Telephone (Official) _____ (Resi/Mobile) _____
 b) Residential Address : _____
 10. Identification Details (Tick any one) : _____
 [Employee ID/Passport No./PAN Card No./
 Voter ID Card No. / Driving License No. / PF No./
 Bank Account Details/Ration Card No.] _____
 11. Certificate Subject Details* : Organization * _____
 (These will be used In Certificate subject.) Organization Unit* _____
 City* _____
 State* _____
 Country* INDIA
 12. SSL Certificate Details : Webserver, _____
 (In case the application is for a device then Services _____
 details of Server/Device for which the IP Address _____
 certificate is being applied for must be filled.) URL/Domain Name, _____
 Physical Location _____

Date:
 Place: (Signature of the Applicant)

(For NICCA Office use only)

Smart Card/USB Token Sr. No.: Request No.:
 Authorised Signatory/RAA: RA Code:
 Name:
 Date: Remarks:

Declaration by the Subscriber

I hereby declare and understand that

1. I have read the subscriber agreement under Resources (<https://nicca.nic.in>).
2. I shall keep the private key safe and will not share with others.
3. I shall verify the contents and the correctness of the certificate before accepting the DSC.
4. I shall send a signed mail to NIC-CA (support@camail.nic.in) to acknowledge the acceptance of the DSC.

I also undertake to sign an additional declaration form In case of Encryption Certificate.

5. I shall not use the private key before acceptance of the DSC.
6. I authorize NIC-CA to publish the certificate in the NIC-CA repository after acceptance of the DSC.
7. If the private key of my DSC is compromised, I shall communicate to NICCA without any delay as per requirement mentioned in Regulation 6 of Information Technology (Certifying Authority) Regulations, 2001. (Doc ID CA2-50027.pdf, available under Repository>CPS & Forms>All Forms at <https://nicca.nic.in>)
8. I understand the terms and conditions of issued DSC and will use the DSC under the terms of issue as in the Certificate Practice Statement.
9. I understand that on cessation of my employment, I shall inform NICCA and my present employer for revocation of my Digital Signature Certificate.
10. I certify the following: (Tick whichever is applicable)
 - o I have not applied for a DSC with NIC-CA earlier.
 - o I have been issued a DSC by NICCA with User IDwhich is Valid/Revoked/Suspended/Expired

The information furnished above is true to the best of my knowledge and belief. I will comply with the terms and conditions of Subscriber (as in section 40-42 of the IT Act 2000) and those of the Certificate Practice Statement of the NIC-CA. If at a later stage any information is found to be incorrect or there is non-compliance of the terms and conditions of use of the DSC, NIC-CA will not be responsible for the consequences/ liabilities and will be free to take any action including cancellation of the DSC.

Date :
 Place : (Signature of the Applicant)

Verification and Declaration by Head of Office of Applicant

1. This is to certify that Mr./Ms. has provided correct information in the Application form for issue of Digital Signature Certificate for subscriber to the best of my knowledge and belief. I have verified the credential of the applicant as per the records and the guidelines given at page 5. I hereby authorize him/her, on behalf of my organization to apply for obtaining DSC from NICCA for the purpose as specified at point 3 of page-1.
2. It is noted that the organization shall inform NICCA for revocation of DSC on the cessation/superannuation of his/her employment.

Date : (Signature of Officer with stamp of Org./Office)
 Place: Name of Officer with Designation:
 Office Email:

Forwarded by SIO / NIC Coordinator
 (Only for Class-2 & Class-3 Certificate)

(Signature of SIO/NIC Coordinator)
 Name:
 Date:
 Office Seal:

This form is to be forwarded to the respective RA Office of NIC-CA.

Additional Declaration by the Subscriber for Encryption Certificate

I hereby declare and understand that

1. I am solely responsible for the usage of these Certificates/Tokens/ Technology. I shall not hold NICCA responsible for any data loss/damage, arising from the usage of the same.
2. I am aware that Key Escrow/Key Archiving of Encryption keys is not done by NICCA and I shall not hold NICCA responsible or approach NICCA for recovery of my private Encryption Key, in case of its loss or otherwise.
3. I shall be responsible for compliance to the relevant sections of the IT Act/Indian Telegraphic Act and other Acts/laws of the Indian legal system, pertaining to Encryption/Decryption of any message or document or electronic data, and I shall be liable for associated penal actions, for any breaches thereof.
4. NICCA shall not be held responsible and no legal proceedings shall be taken against NICCA for any loss and damage that may occur due to any reason whatsoever including technology upgradation, malfunctioning or partial functioning of the software, USB token, Smart Card or any other system component.
5. I am aware that the Encryption Certificate, issued by NICCA is valid only for the suggested usage and for the period mentioned in the certificate. I undertake not to use the Certificate for any other purpose.
6. I am conversant with PKI technology, and understand the underlying risks and obligations involved in usage of Encryption Certificate.
7. I certify the following: (Tick whichever is applicable)
 - o I have not applied for an Encryption Certificate with NIC-CA earlier.
 - o I have been issued an Encryption Certificate by NICCA with User IDwhich is Valid/Revoked/Suspended/Expired.

The information furnished above is true to the best of my knowledge and belief. I will comply with the terms and conditions of Subscriber (as in section 40-42 of the IT Act 2000) and those of the Certificate Practice Statement of the NIC-CA. If at a later stage any information is found to be incorrect or there is non-compliance of the terms and conditions of use of the Encryption Certificate, NIC-CA will not be responsible for the consequences/ liabilities and will be free to take any action including cancellation of the Encryption Certificate.

Date :
 Place : (Signature of the Applicant)

Declaration by Head of Office of Applicant

I hereby authorize Mr/Ms, _____ employed in this Organization, to apply for Encryption Certificate from NIC-CA. It is further certified that a Policy/Procedure is in place, which describes the complete process for Encryption Key Pair Generation, Backup Procedure, safe-keeping of Backups and associated Key Recovery Procedures. The consequences of loss of the key have been explained to the user and he/she has been advised about securing the key and making it available to relevant authorities, in case of emergency.

Date : (Signature of Officer with stamp of Org/Office)
 Place : Name of Officer with Designation:
 Office Email:

Forwarded by SIOI/NIC Coordinator
 (Only for Class-2 & Class-3 Certificate)

(Signature of SIO/NIC Coordinator)
 Name:
 Date:
 Office Seal:

This form is to be forwarded to the respective RA Office of NIC-CA.

Instructions for DSC Applicants

1. NIC-CA abides by the Information Technology Act, 2000, laid down by the Govt, of India. The applicant is advised to read this IT Act 2000 under Resources (<https://nicca.nic.in>).
2. To use DSC for exchanging Digitally signed Email, S/MIME compatible Mail clients should be used (Outlook Express, etc.). Also, please ensure that your email-id is issued from a POP compatible Mail server. For security reasons, NICCA prefers usage of Official E-mail ID.
3. Subscriber is required to send one copy of DSC request form, duly signed and forwarded by Head of Office. Applicant is advised to retain a copy of the same, for filling up the form online while generating key- pair.
4. The forwarded DSC application form is processed at NIC-CA for issue of DSC. If all particulars are in order, a User-Id, password and the profile for the applicant is created using the details submitted. This user-id will only be valid for 90 days (i.e., applicant has to generate key pair request and download certificate within 90 days) failing which, user is required to submit fresh DSC application for DSC issuance.
5. It is very important to keep the private key securely.
6. If the private key is compromised, applicant should immediately inform NIC-CA office by phone 011- 24366176 or e-mail al support@camail.nic.in and Login with his user-Id and password at NICCCA website. The User has to send Request for Revocation/Suspension/Activation form (CA2-50027.pdf)
7. For viewing all valid DSCs and CRLs, the user can access the website (<https://nicca.nic.in/>) under Repository.
8. DSCs are normally issued on FIPS-140 Level-2 compliant smart card/USB crypto-tokens, **which allows only maximum ten numbers of Incorrect attempts for entering pass phrase/ pin.** It is advisable to be careful while entering the passphrase as repeated incorrect entries may block the same. On exceeding this limit, special efforts may be required to unblock the device.
9. It is important to note that email-id given by the applicant is functional and applicant accesses the same on regular basis as all communications w.r.t DSC like generation, revocation, renewal, expiry details are communicated through the given email-id
10. For any further clarification, user can write to support@camail.nic.in or visit the NIC-CA website (<https://nicca.nic.in>).
11. **Types of Classes: Depending upon requirement of assurance level and usage of DSC as described below, the applicant may select one of the classes.**

Class-1 Certificate:

Assurance Level: Provides minimum level of assurance. Subscriber's identity is proved only with help of Distinguished Name -DN and hence provides limited assurance of the identity. Suggested Usage: Signing certificate primarily be used for signing personal emails and encryption certificate is to be used for encrypting digital emails and SSL certificate is used to establish secure communications through the use of secure socket layer (SSL).

Category Issued to the Individual from Govt., PSU/Statutory Bodies, Government Registered Companies and Web Servers/Servers within NIC domain

Class-2 Certificate:

Assurance Level: Provides higher level of assurance confirming the details submitted in the DSC Request Form, including photograph and documentary proof in respect of at least one of the identification details.

Suggested Usage: In addition to the 'suggested usage' mentioned in class I, the class II Signing certificate may also be used for digital signing, code signing, authentication for VPN Client, web form signing, user authentication, Smart Card Logon, single sign-on and signing involved in e-procurement/ e- governance applications.

Category Issued to the Individual from Govt., PSU/Statutory Bodies, Government Registered Companies and Web Servers/Servers in open domain.

Class-3 Certificate:

Assurance Level: Provides highest level of assurances, as verification process is very stringent. Proves existence of name of organizations such as Government Departments/Agencies, PSU/ Govt. Registered Companies and assures applicant's identity authorized to act on behalf of the Government/PSU/Statutory/Autonomous bodies/ Government registered Companies.

Suggested Usage: In addition to the 'suggested usage' mentioned in class-1 & class-2, class-3 signing certificate may also be used for digital signing for discharging his/her duties as per official designation. Class-3 encryption certificate may also be used for encryption requirement as per his/her official capacity.

Category Issued to individuals from Government entities/Head of the Institutions, Statutory/Autonomous bodies, Government registered Companies

Guidelines for verification by Head of Office

- * The Head of Office (HO) of DSC requestor has to verify the identity/credentials of applicants. They will be solely responsible for authentication and validation of each subscriber/applicant within the organisation.
- * They have to ensure verification process as described below, depending upon the class of certificate as applied by the applicant
- * **Types of Classes: Depending upon requirement of assurance level and usage of DSC as described below, the applicant may select one of the classes.**

Verification Process:

- o **Class-1 Certificate:** HO has to ensure the validity of the details given in the DSC Request Form and verify the same.
 - o **Class-2 Certificate:** HO has to ensure the validity of the details given in the DSC Request Form and authenticate the same. HO has to further send it to SIO/NIC-Coordinator for forwarding to NICCA. HO has to utilize various procedures to obtain probative evidence in respect of identity of the applicants by way of seeking photograph and documentary evidence of one of the items under point no. 9 (Identification details) for individual certificate. For SSL server certificate the HO has to ensure attestation of URL for Web Servers by Domain Name Registering Agency, location of web server.
 - o **Class-3 Certificate:** In addition to the verification process required for the class II certificates, the applicants of class III certificates are required to be personally present with proof of their identity to the NIC-CA for issuance of DSC.
- * On receipt of DSC application form, SIO/ DiO/HOD/NIC-Co-ordinator is required to ensure that the application form is signed by the HO(Head of Office)/JS/Company Secretary/Superior Officer of the applicant along with the seal of the office.

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

No. 4109-F(Y)

Kolkata, the 17th May, 2012

MEMORANDUM

This Department vide Notification No. 3739-F(Y) dated 03.05.2012 has made it mandatory from 01.07.2012 for all State Government Departments and their subordinate offices to publish their Tender on the centralized e-Tender Portal [<http://wbtenders.gov.in>] if the Tender Value is Rs.50 lakh or more.

In order to facilitate implementation of e-Publication of Tender on the centralized e-Tender Portal by the Departments and to render necessary help and advice to the Departments in this regard, this Department has designated the following two officers to act as 'Nodal Officer':

1. Sri P. K. Pramanik, Sr. Technical Director, National Informatics Centre [NIC], West Bengal State Unit, Bidyut Bhavan [Gr. Fl.], Salt Lake [Contact no. 9432341691/e-mail: <pk.pramanik@nic.in>]
2. Sri Goutam Chatterjee, Joint Director of Treasuries & Accounts, 4, Lyons Range, Kolkata - 700001 [Contact No. 9433123844/e-mail: <dta@wb.gov.in>].

Sd/- Swapan Kumar Paul.
Special Secretary to the
Government of West Bengal.

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

No. 5424-F(Y)

Kolkata, the 26th June, 2012

MEMORANDUM

In continuation of this Departments Notification no. 3739-F(Y) dated 03.05.2012 regarding mandatory e-tendering through centralized portal for tender value of rupees fifty lakh and above following points are clarified:

1. For e-Tendering all tender related activities should be processed through the e-Tender portal [<http://wbtenders.gov.in>] by the concerned Department/Office inviting tender.
2. Prior to issuance of this Departments Notification no. 3739-F(Y) dated 03.05.2012 e-Tender was in vogue in some Departments for tender value of less than Rs. 50 lakh. That system should be continued i.e., any Department may go for e-Tendering for tender value less than Rs.50 lakh as per their Departments regulation/order.

Sd/- H. K. Dwivedi
Secretary to the
Government of West Bengal.

Government of West Bengal
Finance Department
Audit Branch

No. 6424-F(Y).

Kolkata, the 25th July, 2012

MEMORANDUM

This Department vide Notification No. 3739-F(Y) dated 03.05.2012 has made it mandatory from 01.07.2012 for all State Government Departments and their subordinate Offices to process their Tender related activities through the centralized e-Tender Portal [<http://wbtenders.gov.in>] for the Tender Value of Rs. 50 lakh and above.

This is a Mission Mode Project under National e-Government Project of the Ministry of Commerce & Industry, Department of Commerce, Government of India. For smooth implementation of e-Tender process by the different Departments and their subordinate offices and for monitoring the project throughout the State, the Governor is pleased to constitute a 'State Level Core Committee' with the following members:

- i) Sri Swapan Kumar Paul, Special Secretary, Group-T, Finance Department -Chairman
- ii) Sri P.K. Pramanik, Senior Technical Director, NIC, WB - Member
- iii) Sri Amitava Bose, Technical Director, NIC, WB - Member.
- iv) Sri Paul Varghese Mathai, Scientist - C, NIC, WB - Member
- v) Sri Kanakendu Sinha, Executive Engineer, City Division, PWD - Member.
- vi) Sri Rajkapur Sharma, Executive Engineer, DVC Cell, Irrigation & Water Ways Department - Member.
- vii) Sri Uttam Pahari, Law Officer, Law Department - Member.
- viii) Sri Goutam Samanta, Joint Commissioner, Internal Audit, Finance Department - Member.
- ix) Sri Goutam Chatterjee, Joint Director of Treasuries & Accounts - Member.

The Core Committee shall follow the guidelines and advices of the Project Advisory Committee [PAC] of the Ministry of Commerce & Industry, Department of Commerce, Government of India and shall be entrusted with the following jobs:


- a) Arrangement for hand holding training of the Government Officers related to e- Tender process and also for the prospective Bidders,
- b) Arrangement for establishing 'Helpdesk' for implementation of the e-Tender process by different Government Offices,
- c) Development of Standard Bid / tender documents including Standard Formats of Financial Bid Evaluation and BOQ compatible with the e-Tendering
- d) Customization of the State's e-Tender Portal [<http://wbtenders.gov.in>] keeping in view the overall requirements of all the Departments/Offices of the State Government.

Sd/-H. K. Dwivedi
Secretary to the
Government of West Bengal

No. 6424/1(80)-F(Y)**Kolkata, the 25th July, 2012**

Copy forwarded for information and necessary action to :-

1. Sri Asit Tripathy, Joint Secretary, Ministry of Commerce & Industry, Department of Commerce, Government of India, Udyog Bhawan, New Delhi-110011.
2. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department.
3. The State Information Officer, National Informatics Centre, Bidyut Bhaban, Ground Floor, D. J. Block, Sector-II, Salt Lake, Kolkata-700 091.
4. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata - 700 001.
5. Sri Swapan Kumar Paul, Special Secretary, Group-T, Finance Department, Writers Buildings, Kolkata-700001.
6. Sri P.K. Pramanik, Senior Technical Director, National Informatics Centre [NIC], West Bengal State Unit, , Bidyut Bhaban, Ground Floor, D.J. Block, Sector-II, Salt Lake, Kolkata-700 091.
7. Sri Amitava Bose, Technical Director, National Informatics Centre [NIC], West Bengal State Unit, , Bidyut Bhaban, Ground Floor, D.J. Block, Sector-II, Salt Lake, Kolkata- 700 091.
8. Sri Paul Varghese Mathai, Scientist - C, National Informatics Centre [NIC], West Bengal State Unit, , Bidyut Bhaban, Ground Floor, D.J. Block, Sector-II, Salt Lake, Kolkata-700 091.
9. Sri Kanakendu Sinha, Executive Engineer, City Division, PWD & Nodal Officer of e-Procurement, Public Works Department, Writers Buildings, Kolkata-700001.
10. Sri Rajkapur Sharma, Executive Engineer, DVC Cell, & Nodal Officer of e-Procurement, Irrigation & Water Ways Department, Jalasampat Bhaban, Kolkata-700091.
11. Sri Uttam Pahari, Law Officer, Law Department, Writers Buildings, Kolkata- 700001.
12. Sri Goutam Samanta, Joint Commissioner, Internal Audit, Finance Department, Todi Manson, 8th Floor, P-15, Indian Exchange Place Extension, Kolkata-700073.
13. Sri Goutam Chatterjee, Joint Director of Treasuries & Accounts, 4, Lyons Range, Kolkata-700001
14. Sr. P.A. to the Secretary, Finance Department, Govt, of West Bengal.
15. Sri Sukumar Negel, Pr. Accounts Officer & Ex-Officio Deputy Secretary, Finance (Budget) Department, Writers Buildings, Kolkata-700001, for uploading the Order in the Finance Department's website.


(Swapan Kumar Paul)

Special Secretary to the
Government of West Bengal
Finance Department

Government of West Bengal
Finance Department
Audit Branch

No.9701-F(Y)

Kolkata, 30th November, 2012

MEMORANDUM

E-Tender for Procurement of goods and services for the State Government has been made mandatory for goods and services valued at Rs.50 lakh and above vide Finance Department Notification no. 5400-F(Y) dt.25.6.2012.

E-Tender is a Mission Mode Project [MMP] approved by the Ministry of Commerce, Government of India. The Server for e-Tender Portal has been provided by the National Data Centre, New Delhi with all its application. Six manpower support has been provided by the Government of India for this purpose. As per guideline of the MMP and in order to implement the e-tender procedure a 'State Level Core Committee' [SLCC] was constituted to recommend to the Government the steps to be taken to switch over to the new method of purchase through e- tender.

The core committee has made some specific recommendation to facilitate e-Tender by the State Government Offices. It was decided that the infrastructure of the Public Works Department and Irrigation & Waterways Department shall be used for facilitation of e-Tender by the State Government Offices. At present for obtaining 'Digital Signature Certificate' from NIC the Application Forms are to be submitted at their New Delhi Office. It takes a lot of time to obtain the Digital Signature Certificate. It has been decided to establish a Centre for Digital Signature Registering Authority of NIC in West Bengal, at the ground floor of the Jalasampad Bhavan, Salt Lake at the earliest.

After considering the recommendations of the State Level Core Committee on e-Tender the Governor has been pleased to take the following decisions in the interest of facilitation of switch over from the existing procedure of tender to e-tender for procurement of the State Government. :

1. There shall be two Centralised Training Centre one at Kolkata and the other at Salt Lake, one at the Training Hall of the Public Works Department at Pranjali, Hastings, Kolkata and the other at the Training Hall of the Irrigation & Waterways Department at Jalasampad Bhavan, Salt Lake. The Officials of the State Government including the State Government Undertakings and Autonomous Bodies and the prospective Bidders can avail such Training Programme. All the trainings for orientation of e-tender will be organised centrally and imparted in the two training locations mentioned above. The names of the contact persons for availing such training is given in Annexure-I.

2. There shall be seven (7) Help Desks at following places in West Bengal:

Sl. No.	Helpdesk in the district	May be availed by the offices in Kolkata and Districts
I	Kolkata at Pranjali, Hastings	(i) Kolkata (except Salt Lake) (ii) South 24-Parganas (iii) Howrah
II	Salt Lake at Jalasampad Bhavan	(i) Salt Lake (ii) North 24-Parganas
III	Medinipore Town	(i) Purba Medinipore (ii) Paschim Medinipore (iii) Bankura
IV	Burdwan Town	(i) Hoogly (ii) Burdwan (iii) Purulia
V	Berhampore Town	(i) Nadia (ii) Murshidabad (iii) Birbhum
VI	Malda Town	(i) Malda (ii) Uttar Dinajpur (iii) Dakshin Dinajpur
VII	Siliguri Town	(i) Darjeeling (ii) Siliguri (iii) Jalpaiguri (iv) Cooch Behar

The Support Personal at the Help Desks shall provide necessary assistances to the Officials of the State Government including the State Government Undertakings and Autonomous Bodies and also to the prospective Bidders in smooth implementation of the e-Tender formalities. The detail list along with names of contact persons at such Help Desks is given at Annexure-1.

3. Sale price of bid documents is hereby dispensed with for e-tender / e-bid.
4. In case of re-tender no bid security / EMD is required for the bidders who responded to the first tender but did not get back the EMD deposited with the first bid.

This order shall take immediate effect.

Sd/- H. K. Dwivedi

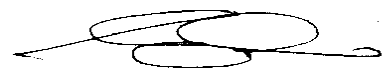
Secretary to the
Government of West Bengal
Finance Department.

No.9701/1(250)-F(Y)

Dated 30th November. 2012

Copy forwarded for information and necessary action to:-

1. The Principal Accountant General (A&E), West Bengal. Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit). West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit). West Bengal, C.G.O. Complex. C East Wing, 5th Floor, Salt Lake, Sector-I, Kolkata-700 064.
4. The Joint Secretary, Ministry of Commerce & Industry. Department of Commerce, Government of India, Udyog Bhawan, New Delhi-110011
5. The Additional Chief Secretary/Principal Secretary /Secretary,
..... Department.
6. The Secretary, Public Works Department, Writers Buildings. Kolkata-700001.
7. The Secretary, Irrigation & Water Ways Department, Jalsampat Bhaban, Kolkata-700091
8. The State Information Officer, National Informatics Centre, Bidyut Bhaban, Ground Floor, DJ Block, Sector-II, Salt Lake, Kolkata-700 091.
9. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata - 700 001.
10. Sri P.K. Pramanik, Senior Technical Director, National Informatics Centre [NIC], West Bengal State Unit, , Bidyut Bhaban, Ground Floor, DJ Block, Sector-II, Salt Lake, Kolkata-700 091.
11. Sri Amitava Bose, Technical Director, National Informatics Centre [NIC], West Bengal State Unit,, Bidyut Bhaban. Ground Floor, DJ Block, Sector-II, Salt Lake, Kolkata-700 091.
12. Sri Paul Varghese Mathai, Scientist -C. National Informatics Centre [NIC], West Bengal State Unit, Bidyut Bhaban, Ground Floor, DJ Block, Sector-II. Salt Lake, Kolkata-700 091.
13. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - 1, 81/2/2, Phears Lane, Kolkata-700 012.
14. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-I, Hyde Lane, Kolkata - 700 012.
15. The Treasury Officer,
16. Sr. P. A. to the Chief Secretary , Government of West Bengal.
17. Sr. P. A. to the Secretary, Finance Department, Govt. of West Bengal.
18.
19. Sri Sukumar Negel, Pr. Accounts Officer & Ex-Officio Deputy Secretary, Finance (Budget) Department, Writers Buildings, Kolkata-700001, for uploading the Notification in the Finance Department's website.


(Swapan Kumar Paul)

Special Secretary to the Government of West Bengal
Finance Department

Enclosure to Memo No. 9701 -F(Y)

Dated 30th November, 2012

Annexure-I**A. The names of the contact persons for Training on e-Tender**

Sl. No.	Name & Designation	Contact No.	E-mail
1	Sri Amitava Bose, Technical Director, NIC	09830610378	amitava.bose@nic.in
2	Sri Paul Varghese Mathai, Scientist-C, NIC	09433230135	paul.mathai@nic.in

B. The detail list along with names of contact persons at Help Desks for implementation of e-Tender;

Sl. No.	Helpdesk in the district	Contact No.	E-mail
I	Kolkata at Pranjali, Hastings O/o. Executive Engineer, City Division, PWD	033-2223-6236	eelctdpwd@wb.gov.in
II	Salt Lake at Jalasampad Bhavan , O/o. Executive Engineer, DVC Cell, 7th Floor, Irrigation & Water Ways Department	033-2334-6098	irrigationhelpdesk @gmail.com irrigation.nic@gmail.com
III	Medinipore Town O/o. Executive Engineer, Medinipore Highway Division-II	03222-275672	hripwdmed@gmail.com
IV	Burdwan Town O/o. Executive Engineer-1, Burdwan Division, PWD	0342-2662497	hripwd.burdwan.helpdesk@gmail.com
V	Berhampore Town O/o. Superintendent Engineer, SHC-II, P.W.D. (Roads)	03482-250627	hripwdmsd@gmail.com
VI	Malda Town O/o. Executive Engineer, Malda Division, PWD	03512-252497	hripwdmld@gmail.com
VII	Siliguri Town O/o. Executive Engineer-1, PWD, NBCD	0353-2431529	hripwddjg@gmail.com

Government of West Bengal
Finance Department
Audit Branch

No.6932-F(Y)

Dated, Kolkata, the 29th August, 2013

NOTIFICATION

E-tendering was made mandatory for tender/auction valued at and above Rs.50 lakh with option to the Government offices to adopt e-tendering procedure for values less than Rs.50 lakh. While detailed e-tendering procedure was prescribed in notification No.3739-F(Y) dt. 03.05.2012, the mandatory provision of e-tendering was included in Note-2 below Rule 47(8) of WBFR, as amended vide notification No.5400-F(Y) dt. 25.06.2012. Help-desks were set up for the Government Offices to facilitate adoption of e-tendering procedure vide memo . No. 9701-F(Y) dated 30.11.2012. All these measures while reducing the hassles involved in manual tendering process and cutting down the time involved in finalisation of bids and contracts has brought about much needed financial probity and transparency in Government procurement. In the interest of furtherance of the benefit associated with e-tendering process across wider domain of Government procurement and disposal, it has been decided that the base-level of Rs. 50 lakh for mandatory e-tendering process needs to be reduced to Rs. 5 lakh.

Now, therefore, in exercise of the power conferred by Clause (3) of Article 166 of the Constitution of India, the Governor is pleased hereby to make the following amendments in Note-2 below Rule 47(8) of WBFR, Vol-I, as amended vide Notification No.5400-F(Y) dated 25.06.2012 and para-1 of Notification No.3739-F(Y) dt. 03.05.2012, in the following manner :

Note-2 below rule 47(8) - “For Tender value of Rs.50 lakh and above, e-tendering through the centralized e-tender Portal [<http://wbtenders.gov.in>] is mandatory, in addition to publication in print media” is replaced with “**For Tender value of Rs.5 lakh and above, e-tendering through the centralized e-tender Portal [<http://wbtenders.gov.in>] is mandatory, in addition to publication in print media**”

Para 1 of Notification no.3739-F(Y) dt.03.05.2012 — The phrase “if the Tender value is Rs.50 lakhs and above” in the last but one sentence is replaced with “**...if the Tender value is Rs.5 lakhs and above.**” The last sentence of the para beginning with “**The Tender value less than Rs.50 lakhs may....**” is deleted.

This order will take effect from 1st October, 2013.

By order of the Governor,
Sd/- H. K. DWIVEDI
Principal Secretary to the
Government of West Bengal

No.6932/1(300)-F(Y)

Dated, Kolkata the 29th August, 2013

Copy forwarded for information and necessary action to :

- 1) The Principal Accountant General (A&E) West Bengal, Treasury Buildings, 2, Govt. Place West, Kolkata- 700001.
- 2) The Principal Accountant General (Audit) West Bengal, Treasury Buildings, 2, Govt. Place West, Kolkata- 700001.
- 3) The Accountant General (Receipt Works & Local Bodies Audit) West Bengal, CGO Complex, 3rd MSO Building, 5th Floor, Block DF, Sector-I, Salt Lake, Kolkata- 700064.
- 4) Additional Chief Secretary/Principal Secretary/Secretary,
..... Department
- 5) Director of Treasuries & Accounts, West Bengal, New India Assurance Buildings, 4, Lyons Range, Kolkata -700001.
- 6) The Commissioner,
- 7) The District Magistrate,
- 8) Special Secretary/Additional Secretary/Joint Secretary/Deputy Secretary, Assistant Secretary/O.S.D./Registrar, Finance Department
- 9) The Sub-Divisional Officer,
- 10) The Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata- 700012.
- 11) The Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Kolkata - 700 073.
- 12) The Pay & Accounts Officer, Kolkata Pay & Accounts Office-III, IB Market, 1st Floor, Block IB, Sector-III, Kolkata -700106.
- 13) Treasury Officer,
.....
- 14) All Group/Cell/Branch of Finance Department,
- 15) Principal Accounts Officer & Ex-officio Joint Secretary, Finance (Budget) Department - He is requested to upload in the website of Finance Department.



Joint Secretary to the
Government of West Bengal

Government of West Bengal
Finance Department
Audit Branch

No.460-F(Y)

Date 27th January, 2014

MEMORANDUM

The undersigned is directed by order of the Governor to reconstitute the “State Level core committee” in the following manner for implementation and monitoring of e-tender process in Government departments and subordinate offices in the state in cancellation of this department memo no. 6424-F(Y) dt.25.7.2012.

- | | |
|---|----------|
| 1. Smt S.P. Zaheer, Secretary, Finance Department | Chairman |
| 2. Sri. P.K. Pramanik, Senior Technical Director, NIC, WB | Member |
| 3. Sri Amitava Bose, Technical Director, NIC, WB | Member |
| 4. Sri Paul Varghese Mathai, Scientist-C, NIC, WB | Member |
| 5. Sri Kanakendu Sinha, Executive Engineer, City Division, PWD. | Member |
| 6. Sri Rajkapur Sharma, Executive Engineer, DVC CeII,l&W Dptt. | Member |
| 7. Sri Uttam Pahari, Law officer, Law Department | Member |
| 8. Sri Gautam Samanta, Joint Secretary, Finance Dptt. | Member |
| 9. Sri Goutam Chatterjee, Joint Secretary, Finance Dptt. | Member |

The Terms of reference of the core committee are as follows-

1. To develop standard bid/tender documents including standard formats of financial bid evaluation and BOQ compatible with the e-tendering;
2. To customise state’s e-tender portal <https://wbtenders.gov.in> keeping in view the overall requirements of all the departments/offices of the State Government;
3. To facilitate change-over to the e-tender process;
4. To suggest e-auction measures.

The committee will function following the guidelines and advices of the Project Advisory Committee (PAC) of Ministry of Commerce and Industry, Department of Commerce, Government of India in implementing the e-tender procedure as a Mission Mode Project under National e-Governance Plan (NeGP).

Sd/- H.K. Dwivedi
Principal Secretary to the
Government of West Bengal

No. 460/1(80)-F(Y)**Date, the 27th January, 2014.**

Copy forwarded for information and necessary action to :-

1. Sri Asit Tripathy, Joint Secretary, Ministry of Commerce & Industry, Department of Commerce, Government of India, Udyog Bhawan, New Delhi-110011.
2. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department.
3. The State Information Officer, National Informatics Centre, Bidyut Bhaban, Ground Floor, DJ. Block, Sector-II, Salt Lake, Kolkata-700 091.
4. Smt.S.P.Zaheer Secretary, Finance Department, NABANNA (12th floor), Howrah-711102.
5. Sri P.K. Pramanik, Senior Technical Director, National Informatics Centre [NIC], West Bengal State Unit, Bidyut Bhaban, Ground Floor, D.J. Block, Sector-II, Salt Lake, Kolkata-700 091.
6. Sri Amitava Bose, Technical Director, National Informatics Centre [NIC], West Bengal State Unit, Bidyut Bhaban, Ground Floor, D J. Block, Sector-II, Salt Lake, Kolkata-700 091.
7. Sri Paul Varghese Mathai, Scientist - C, National informatics Centre [NIC], West Bengal State Unit, Bidyut Bhaban, Ground Floor, DJ. Block, Sector-tl, Salt Lake, Kolkata-700 091.
8. Sri Gautam Samanta, CAO & EO Joint Secretary, Finance Department, Government of West Bengal, NABANNA (12th floor), Howrah-711102
9. Sri Goutam Chatterjee, PAO & EO Joint Secretary, Finance Department, Government of West Bengal, NABANNA (11th floor), Howrah-711102
10. Sri Kanakendu Sinha, Executive Engineer, City Division, PWD & Nodal Officer of e-Procurement, Public Works Department, NABANNA (8th floor), Howrah-711102.
11. Sri Rajkapur Sharma, Executive Engineer, DVC Cell, & Nodal Officer of e-Procurement, Irrigation & Water Ways Department, Jalasampat Bhaban, Kolkata-700091.
12. Sri Uttam Pahari, Law Officer, Law Department, Writers Buildings, Kolkata- 700001.
13. Director of Treasuries and Accounts, West Bengal, New India Assurance Building (2nd and 3rd floor), 4, Lyons Range, Kolkata-700001.
14. Sr. P.A. to the Secretary, Finance Department, Govt, of West Bengal.
15. Sri Sukumar Negel, Sr. System Aanalyst & Ex-Officio Joint Secretary, Finance (Budget) Department, NABANNA (11th floor), Howrah-711102, for uploading the Order in the Finance Department's website.



(S.P. Zaheer)

Secretary to the
Government of West Bengal
Finance Department



H K Dwivedi, IAS

Principal Secretary

Finance Department
Government of West Bengal

NABANNA

325, Sarat Chatterjee Road
Howrah-711 102

Ph: 033-2214 3695, Fax : 033-2214 1391

E-mail: fs-wb@nic.in

No. FS-33/2014

30th January, 2014

The Additional Chief Secretary/Principal Secretary/Secretary,
..... **Department,**
Govt. of West Bengal

Sub: Digital Signature Certificate Registration Authority of NIC at Kolkata

Sir,

An office of Registration Authority (RA) has been set up by the West Bengal Centre of NIC at Vidyut Bhavan (Gr. Floor), DJ Block, Sector-II, Salt Lake, Kolkata-700091 for processing new Digital Signature Certificate (DSC) applications and renewal of existing DSC. You are requested to inform all the subordinate offices under your control to avail this facility of Digital Signature Certificate registration in Kolkata which is expected to curtail the time of getting Digital Signature to a period of 3 to 4 days as intimated by the National Informatics Centre (NIC).

The procedure of getting Digital Signature Certificate as sent to us by the NIC is attached for your information and circulation from your end.

Encl.: As stated.

Yours faithfully,

H.K. Dwivedi

Procedure of Getting Digital Signature Certificate (DSC)

1. The DSC Request Form can be downloaded from the site <http://nicca.nic.in>, using the option **Download DSC Request Form**.
2. Kindly note that NIC provides DSC only to the Employees of Government Organisations, PSUs and Statutory Bodies.
3. Completely filled Up DSC Request Form along with photocopies of the **Employee Identity Card and PAN Card** of the applicant, and **Requisite Fee in form of Demand Draft in favour of “National Informatics Centre” payable at Kolkata**, is to be submitted at National Informatics Centre (NIC), West Bengal State Centre, Gr. Floor, Vidyut Bhavan, Salt Lake, Kolkata - 700091. . Requisite Fee can be found out from the site <http://nicca.nic.in> using the option **View DSC Fee Structure**. Applicant should keep other copy of filled up DSC request Form with them for future references.
4. Application should be verified and Forwarded by NIC Coordinator as mentioned in the Application Form.
5. For Elected Members of the Statutory Bodies photocopy of Voter ID or any of the other identity cards mentioned in the application form may submitted as identity proof.
6. For bulk application User may submit one DD of consolidated amount for all Applicants. User may also submit separate DD for individual Applicant.
7. After processing of the Application at the RA office one System Generated email will be sent to the Applicant at the email address mentioned in the Application Form v informing him User ID & Password and also requesting him to collect the USB token from the RA office. Applicant should fill up the email address clearly in the application form so that email can be properly delivered.
8. For Class II DSC, Applicant may collect the USB Token personally from NIC WBSC or through representative having proper authorization letter and identity proof (Identity Card). For Class III DSC, applicant has to collect the USB personally.
9. Applicant should visit the website <https://nicca.nic.in> and go through Gemalto Token Instruction (For Gemalto Token)/**Moserbaer Token Instruction** (For Moserbar Token) and **Prerequisites for Token Installation** before using the USB Token supplied to them. All the driver software required for installation is also available at <https://nicca.nic.in>
10. Help Desk at Pranjali, Hastings, Khidderpore: 033-22236236
11. Help Desk at Jal Sampad Bhavan: 9051172998 (Mr. Bhaskar Rao)
12. For further information please visit the site <http://nicca.nic.in>

Government of West Bengal
Finance Department
Audit Branch

No. 1160-F(Y)

Dated, 28th February, 2014

MEMORANDUM

WHEREAS procurement of and above Rs. 5 lakh can be done only through e-Tendering procedure in terms of notification no. 6932-F(Y) Dt. 29.8.13;

AND WHEREAS, the tender documents meant for e-tendering needs to be uploaded in the State Government website address of <https://wbtenders.gov.in> which was specified in FD notification no. 5400-F(Y) Dt. 25.6.2012;

AND WHEREAS, some Government Departments either have not yet adopted the e-Tendering procedure for the procurements of and above Rs. 5 lakh, or are not using the State Government official address of <https://wbtenders.gov.in> for e-tendering;

AND WHEREAS, e-tendering norms have been made mandatory to ensure utmost transparency and fairness in the tender process for procurement;

AND WHEREAS, it has been decided that a date needs to be fixed by which all the Government Departments and their subordinate offices should ensure compliance with the e-tender norms and use of the specified web address for e-tender of the State Government;

NOW, THEREFORE, the Governor is pleased to decide that all the State Government Departments and subordinate offices should immediately switch over to the e-tender procedure through the State Government e-tender portal, namely, <https://wbtenders.gov.in>.

Sd/-

H.K. Dwivedi

Principal Secretary to the
Government of West Bengal

No. 1160/1(250)-F(Y)**Dated, 28th February, 2014**

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. PA to the Chief Secretary, Government of West Bengal
4. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department, Govt, of West Bengal.
5. PA to the Principal Secretary, Finance Department, Government of West Bengal.
6. Secretary, Finance (Audit) Department, Government of West Bengal
7. OSD & Ex-officio Secretary, Finance (Budget) Department, Government of West Bengal.
8. Financial Advisor, Department, Govt, of West Bengal.
9. The Principal Accounts Officer & Ex-Officio Joint Secretary, Finance (Budget) Department, for uploading this Notification in the Finance Department website.
10. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range (2nd& 3rd floor), Kolkata - 700 001.
11. The Commissioner,
12. The District Magistrate,
13. The Sub-Divisional Officer,
14. The Pay & Accounts Officer, Kolkata Pay & Accounts Office -I, 81/2/2, Phears Lane, Kolkata-700 012.
15. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-1, Hyde Lane, Kolkata - 700 012.
16. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 1st Floor, Salt Lake, Sector -III, Kolkata - 700 106.
17. The Treasury Officer,
18.


(G. Samanta)

Joint Secretary to the
Government of West Bengal.

Government of West Bengal
Finance Department
Audit Branch

No. 1526-F(Y)

Dated 18th March, 2014

MEMORANDUM**Sub: Online receipt and refund of EMD of E-tender through State Govt. E-tender portal**

State e-tendering portal <https://wbtenders.gov.in> has been developed using the Government e-Procurement Solution developed by NIC (GePNIC) and is being utilised successfully for the e-tendering of the State Government. Due to non-integration of the e-tender portal with the State e-receipt portal, GRIPS, the bidders have to manually deposit EMD. Manual refund of EMD to the unsuccessful bidders in such cases is unavoidable and takes much more time than electronic refund. In order to ensure faster disposal of the EMD refund, the State Government for some time past has been considering alternative available electronic refund routes.

The internet banking portal of State Bank of India (SBI), the authorised agency bank of the State Government, has been found to be amenable to immediate site-to-site integration with the State Government e-tender portal. Pooling accounts need to be opened at any internet-banking enabled service branch of SBI for receipt and repayment of the EMD electronically utilising the net-banking facility of the bank. The State Government has decided to open four such accounts at the Kolkata Main Branch of SBI and utilise the SBI internet banking portal to electronically receive and repay/transfer the EMD money and tender fees related to e-tendering.

Therefore, the Governor is pleased to open the following four pooling accounts at State Bank of India, Kolkata Main Branch, and prescribe below the procedure to be adopted for deposit of EMD/Bid Security related to e-tender of the State Government and its subordinate offices/PSUs/autonomous and local bodies.

1. The bidders participating in the e-tender of the State Government/State PSUs/State Autonomous Bodies/Local Bodies, shall deposit the EMD, electronically through their respective internet-banking enabled account maintained at any bank to the following pooling accounts opened at SBI, Kolkata Main Branch:

Sl. No.	EMD related to E-tender of	Pooling Account no.
i)	State Government Dptts.	33728456372
ii)	State PSUs/State Autonomous Bodies/Local Bodies	33728476252

2. In case of tender fees; if applicable, the same may also be deposited by the bidders electronically through their respective internet-banking enabled account at any bank to the following pooling accounts opened at SBI, Kolkata Main Branch:-

Sl. No.	Tender fees of	Pooling Account no.
i)	State Government Dptts	33728473909
ii)	State PSUs/State Autonomous Bodies/Local Bodies	33728477563

3. In case the bidder has a net-banking account at SBI, he will add these accounts for fund

transfer; in case the bidder has net banking account in other banks he will add these accounts for NEFT/RTGS fund transfer.

4. The Tender inviting authority of the Government Offices/State PSUs/State Autonomous Bodies/Local Bodies will be allotted merchant code with ID and password to view the EMD and tender fees deposited by the bidders in the pooling accounts;
5. The nodal officer of the Finance Department, Government of West Bengal will be able to view the department-wise EMD and tender fees deposited by the bidders to the pooling accounts and fund transferred downstream at various stages of the tender process to the Government accounts and bidders accounts, as applicable;
6. The EMD of the bidders disqualified at the technical evaluation will revert to the respective bidders accounts without any manual intervention following the same path in which the EMD was transferred from the bidder's bank account to the pooling account electronically, once the technical evaluation is electronically processed in the State Government e-tender portal of <https://wbtenders.gov.in>;
7. The EMD of the technically qualified bidders other than that of the LI and L2 bidders will revert to the respective bidders accounts without any manual intervention following the same path in which the EMD was transferred from the bidder's bank account to the pooling account electronically, once the financial bid evaluation is electronically processed in the State Government e-tender portal of <https://wbtenders.gov.in>;
8. The EMD of the L2 bidder will revert to the respective bidder's accounts following the same path in which the EMD was transferred from the bidder's bank account to the pooling account electronically, once the LI bidder accepts the LOI and the same is processed electronically in the State Government e-tender portal of <https://wbtenders.gov.in>;
9. The EMD of the LI bidder of the State Government Departments will automatically get transferred from the pooling account to the State Government revenue deposit head of "8443-00-103-001-07" along with bank particulars of LI bidder in GRIPS, as soon as the bidder accepts the LOI and the same is processed electronically in the state Government e-tender portal of <https://wbtenders.gov.in>;
10. The EMD of the LI bidder of the state PSUs/State Autonomous Bodies/Local Bodies will automatically get transferred from the pooling account to their respective linked bank accounts along with bank particulars of the LI bidder, as soon as the bidder accepts the LOI and the same is processed electronically in the state Government e-tender portal of <https://wbtenders.gov.in>;
11. The tender fees will be transferred from the pooling account to the Government revenue receipt head of "0070-60-800-013-27" through GRIPS, for Government tender and to the respective linked bank account for state PSUs/State Autonomous Bodies/Local Bodies tender electronically, once the EMD of the LI bidder is transferred in the manner mentioned above;
12. SBI, Kolkata Main Branch will send daily bank scroll and DMS with the fund transfer record/report for the fund transferred from the pooling account to the State Government Revenue deposit HOA, i.e., "8443-00-103-001-07" for EMD of L1 bidder and under HOA "0070-60-800-013-27" for tender fee, to the State Government E-treasury at the Directorate of Treasuries and Accounts, Government of West Bengal, at New India Assurance Building (3rd floor), 4, Lyons Range, Kolkata-700001.

Further details of the process flow of the fund will be intimated in due course.

Sd/-**H.K. Dwivedi**
Principal Secretary to the
Government of West Bengal

No. 1526/1(250)-F(Y)**Dated, 18th March, 2014**

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. Chief Secretary to the Government of West Bengal.
4. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department, Govt, of West Bengal.
5. PA to the Principal Secretary, Finance Department, Government of West Bengal.
6. Secretary, Finance (Audit) Department, Government of West Bengal.
7. Secretary, Finance (Budget) Department, Government of West Bengal.
8. Financial Advisor, Department, Govt. of West Bengal.
9. The Principal Accounts Officer & Ex-Officio Joint Secretary, Finance (Budget) Department, for uploading this Notification in the Finance Department website.
10. The SIO & Director General, National Informatics Centre (NIC), West Bengal, Bidyut Bhavan, Salt Lake, Kolkata-700091.
11. The Chief General Manager, SBI, Local Head Office, Samriddhi Bhavan, 1, Strand Road, Kol-700001.
12. The Asstt. General Manager, PAD, RBI, Kolkata-700001.
13. The Asstt. General Manager, GAD, SBI, Local Head Office, Samriddhi Bhavan, 1, Strand Road, Kol- 700001.
14. The Asstt. General Manager, SBI, Kolkata Main Branch, Samriddhi Bhavan, 1, Strand Road, Kolkata - 700001.
15. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range (2nd& 3rd floor), Kolkata - 700 001.
16. The Commissioner,
17. The District Magistrate,
18. The Sub-Divisional Officer,
19. The Pay & Accounts Officer, Kolkata Pay & Accounts Office -1, 81/2/2, Phears Lane, Kolkata -700 012.
20. The Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Kolkata - 700 012.
21. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 1st Floor, Salt Lake, Sector-III, Kolkata -700 106.
22. The Treasury Officer,
23.


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

Government of West Bengal
Finance Department
Audit Branch

No. 1956-F(Y)

Dated, 4th April, 2014

NOTIFICATION

In exercise of the power conferred by Clause (3) of Article 166 of the Constitution of India, the Governor is pleased hereby to make the following amendments in the West Bengal Financial Rules, Volume-I, as subsequently amended (hereinafter referred to as the said Rules), namely:-

In the said rules, for Rule 47(14) substitute the following -

Rule 47(14)-Subject to provision of these rules and any other special rules, suppliers/service providers sometimes need to be registered or empaneled by the departments/procurement entities on the basis of their qualification and competence because of the nature of the materials/service to be procured. Besides, in case of any emergent situation it may not always be possible to go for procurement of materials/service observing the open/advertised tender procedure as enjoined in Rule 47(8) and notes thereunder of WBFR, although value of such procurement may equal or exceed Rs. 1 lakh. In such cases where open tender is not invited and procurement is effected by limited tenders inquiry/single tender inquiry, the specific reasons for doing so should be recorded and the approval of the competent authority should be taken in writing, unless such action is taken in accordance with any instruction issued by the Government. The situations in which Limited Tender Inquiry and Single bid are permissible and its conditions are given below.

1 (a) Limited Tender Inquiry (LTI)

Procurement of materials/service can be undertaken through Limited Tender Inquiry (LTI) to be issued to the suppliers who are registered/empaneled with the department concerned inviting them to offer their price. In such cases of tender, copies of the bidding document should be sent, free of cost, directly by speed post/registered post/courier/e-mail, simultaneously to all the registered suppliers for the materials/service in question. The number of supplier firms in LTI should be more than three. Efforts should be made to identify a higher number of approved suppliers to obtain more responsive bids on competitive basis. Web site publicity should also be given for LTIs. The lowest bid/price should be accepted in such cases of LTI.

Purchase through LTI may be adopted upto the estimated value of the procurement of Rs.10 lakh, with concurrence of the Financial Advisor of the Department, in the following circumstances:

- (i) The Departmental Secretary certifies that the demand is urgent and any additional expenditure involved by not procuring through advertised tender enquiry is justified in view of urgency. The nature of urgency and reasons why the procurement could not be anticipated earlier should be put on record.
- (ii) There are sufficient reasons, to be recorded in writing by the Financial Advisor and concurred by the Departmental Secretary, indicating that it will not be in public interest to procure the goods through advertised tender enquiry.
- (iii) Sufficient time should be allowed for submission of bids in Limited Tender Inquiry cases.

1 (b) Limited tender enquiry route may also be adopted for procurement purpose in those cases where the sources of supply are definitely known and possibility of fresh source(s) beyond those being tapped is remote.

1 (c) In case of procurement of consultancy service from the panel of Finance Department, there will be no ceiling of the consultancy fee.

2. Single Tender Inquiry

Procurement from a single source may be resorted to in the following circumstances:

2 (a) In case of urgency

- i. There is an urgent need for the materials, equipment, and service. Engaging in tendering procedure or any other method of procurement would, therefore, be impracticable. The reasons for such decision are to be recorded in writing in the related office papers and registers and approval of the competent authority should be obtained thereto, provided that the circumstances giving rise to the urgency were neither foreseeable by the procuring entity nor the result of any dilatory conduct on its part;
- ii. Owing to a catastrophic event such as, natural calamities, there is an urgent need for the goods making it impractical to use other methods of procurement because of the time involved in using those methods.

In case of procurement from a single source because of urgency, the following certificate should be given-

- (i) circumstances giving rise to the urgency were neither foreseeable by the procuring entity nor the result of dilatory conduct on its part;
- (ii) there is an urgent need for the goods making it impractical to use other methods of procurement because of the following emergent situation-
 - natural calamities at or
 - (Specify).
- (iii) Comments of the Departmental Financial Advisor

2 (b) Proprietary items

- i. It is in the knowledge of the user department that only a particular firm is the manufacturer of the required goods, and the department certifies it.
- ii. The materials, equipment and related services are available only from a particular supplier or a particular supplier has exclusive rights in respect of these items and no reasonable alternative or substitute exists, and a certificate to that extent to be given by the department.

Proprietary article certificate in the following form is to be provided by the Department before procuring the goods from a single source as applicable.

- (i) The materials/equipments are manufactured by M/s..... only
- (ii) No other make or model is acceptable for the following reasons
- (iii) Comments of Departmental Financial Advisor

3. In all such cases of procurement from single source, concurrence of the administrative group concerned and Group T of Finance Department shall be obtained.

By order of the Governor
Sd/-H.K. Dwivedi
Principal Secretary to the
Government of West Bengal

No. 1956/1(250)-F(Y)**Dated, 4th April, 2014**

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. Chief Secretary to the Government of West Bengal.
4. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department, Govt, of West Bengal.
5. PA to the Principal Secretary, Finance Department, Government of West Bengal.
6. Secretary, Finance (Audit) Department, Government of West Bengal
7. Secretary, Finance (Budget) Department, Government of West Bengal.
8. Financial Advisor, Department, Govt. of West Bengal.
9. The Principal Accounts Officer & Ex-Officio Joint Secretary, Finance (Budget) Department, for uploading this notification in the Finance Department website.
10. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range (2nd& 3rd floor), Kolkata - 700 001.
11. The Commissioner, Division.
12. The District Magistrate,
13. The Sub-Divisional Officer,
14. The Pay & Accounts Officer, Kolkata Pay & Accounts Office -1, 81/2/2, Phears Lane, Kolkata - 700 012.
15. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-1, Hyde Lane, Kolkata - 700 012.
16. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 1st Floor, Salt Lake, Sector-III, Kolkata -700 106.
17. The Treasury Officer,
18.
19. Managing Director, M/s Saraswati Press Ltd., 11, B.T. Road, Kolkata-700056-for Gazette notification 100 copies.


(G. Samanta)

Joint Secretary to the
Government of West Bengal.

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

No. 3975-F(Y)

Dated, 28th July, 2016

MEMORANDUM

Sub: Online receipt and refund of EMD of e-procurement through State Government e-procurement portal

The State Government procurement portal has already been integrated with the Payment Gateway of ICICI Bank for deposit of EMD and other fees by the bidders participating in e-procurement.

Now, in cancellation of this Department Memorandum No. 1526-F(Y) dated 18.03.2014, the Governor is pleased to prescribe the following procedure to be adopted for deposit of EMD/ Bid Security related to e- procurement of the State Government Departments and its subordinate offices, PSUs, Autonomous and Local Bodies, PRIs, etc.

1. Login by bidder

- a) A bidder desirous of taking part in a tender invited by a State Government Office/PSU/ Autonomous Body/Local Body/PRIs, etc shall login to the e-Procurement portal of the Government of West Bengal <https://wbtenders.gov.in> using his login ID and password.
- b) He will select the tender to bid and initiate payment of pre-defined EMD/Tender Fees for that tender by selecting from either of the following payments modes:
 - i) Net banking (any of the banks listed in the ICICI Bank Payment gateway) in case of payment through ICICI Bank Payment Gateway;
 - ii) RTGS/NEFT in case of offline payment through bank account in any Bank.

2. Payment procedure

- a) Payment by Net Banking (any listed bank) through ICICI Bank Payment Gateway:
 - i) On selection of net banking as the payment mode, the bidder will be directed to ICICI Bank Payment Gateway webpage (along with a string containing a Unique ID) where he will select the Bank through which he wants to do the transaction.
 - ii) Bidder will make the payment after entering his Unique ID and password of the bank to process the transaction.
 - iii) Bidder will receive a confirmation message regarding success/failure of the transaction.
 - iv) If the transaction is successful, the amount paid by the bidder will get credited in the respective Pooling account of the State Government/PSU/Autonomous Body/Local Body/PRIs, etc maintained with the Focal Point Branch of ICICI Bank at R.N. Mukherjee Road, Kolkata for collection of EMD/Tender Fees.
 - v) If the transaction is failure, the bidder will again try for payment by going back to the first step.
- b) **Payment through RTGS/NEFT**
 - i) On selection of RTGS/NEFT as the payment mode, the e-Procurement portal will show a pre-filled challan having the details to process RTGS/NEFT transaction.
 - ii) The bidder will print the challan and use the pre-filled information to make RTGS/NEFT payment using his Bank account.

- iii) Once payment is made, the bidder will come back to the e-Procurement portal after expiry of a reasonable time to enable the NEFT/RTGS process to complete, in order to verify the payment made and continue the bidding process.
- iv) If verification is successful, the fund will get credited to the respective Pooling account of the State Government/PSU/Autonomous Body/Local Body/PRI, etc maintained with the Focal Point Branch of ICICI Bank at R.N. Mukherjee Road, Kolkata for collection of EMD/Tender Fees.
- v) Hereafter, the bidder will go to e-Procurement portal for submission of his bid.
- vi) But if the payment verification is unsuccessful, the amount will be returned to the bidder's account.

3. Refund/Settlement Process:

- i) After opening of the bids and technical evaluation of the same by the tender inviting authority through electronic processing in the e-Procurement portal of the State Government, the tender inviting authority will declare the status of the bids as successful or unsuccessful which will be made available, along with the details of the unsuccessful bidders, to ICICI bank by the e-Procurement portal through web services.
- ii) On receipt of the information from the e-Procurement portal, the Bank will refund, through an automated process, the EMD of the bidders disqualified at the technical evaluation to the respective bidders' bank accounts from which they made the payment transaction. Such refund will take place within T+2 Bank Working Days where T will mean the date on which information on rejection of bid is uploaded to the e-Procurement portal by the tender inviting authority.
- iii) Once the financial bid evaluation is electronically processed in the e-Procurement portal, EMD of the technically qualified bidders other than that of the L1 and L2 bidders will be refunded, through an automated process, to the respective bidders' bank accounts from which they made the payment transaction. Such refund will take place within T+2 Bank Working Days where T will mean the date on which information on rejection of financial bid is uploaded to the e-Procurement portal by the tender inviting authority. However, the L2 bidder should not be rejected till the LOI process is successful.
- iv) If the L1 bidder accepts the LOI and the same is processed electronically in the e-Procurement portal, EMD of the L2 bidder will be refunded through an automated process, to his bank account from which he made the payment transaction process, to his bank account from which he made the payment transaction. Such refund will take place within T+2 Bank Working Days where T will mean the date on which information on Award of Contract (AOC) to the L1 bidder is uploaded to the e-Procurement port by the tender inviting authority.
- v) As soon as the L1 bidder is awarded the contract (AOC) and the same is processed electronically in the e-Procurement portal.
 - a) EMD of the L1 bidder for tenders of State Government offices will automatically get transferred from the pooling account to the State Government deposit head "8443-00-103-001-07" through GRIPS along with the bank particulars of the L1 bidder.
 - b) EMD of the L1 bidder for tenders of the State PSUs/Autonomous Bodies/Local Bodies/PRI, etc will automatically get transferred from the pooling account to their respective linked bank accounts along with the bank particulars of the L1 bidder.

In both the above cases, such transfer will take place within T+1 Bank Working Days where T will mean the date on which the Award of Contract (AOC) is issued.

- vi) The Bank will share the details of the GRN No. generated on successful entry in GRIPS with the e-Procurement portal for updation.
- vii) Once the EMD of the L1 bidder is transferred in the manner mentioned above, Tender fees, if any, deposited by the bidders will be transferred electronically from the pooling account to the Government revenue receipt head “0070-60-800-013-27” through GRIPS for Government tenders and to the respective linked bank accounts for State PSU/ Autonomous Body/Local Body/PRI, etc tenders.
- viii. All refunds will be made mandatorily to the Bank A/c from which the payment of EMD & Tender Fees (if any) were initiated.

4. Accounting and Monitoring Process:

- i) The ICICI Internet Banking will communicate to the State Government e-Procurement portal all details of transactions on daily basis.
- ii) The Tender Inviting Authority of the Government Offices/PSUs/Autonomous Bodies/ Local Bodies/PRI, etc. will be using their respective e-Procurement User ID and Password to view the EMD and Tender Fees deposited by the bidders in the pooling accounts.
- iii) The nodal officer of the Finance Department, Government of West Bengal will be able to view the Department-wise EMD and Tender Fees deposited by the bidders to the pooling accounts and fund transferred downstream at various stages of the tender process to the Government accounts and bidders’ accounts, as applicable by using user access as provided by NIC.
- iv) The details of NIC e-Procurement Help Desk and toll free numbers of ICICI Bank are given in annexure.

The system will become effective from 01/08/2016 and can be used by any Government Offices/ PSUs/Autonomous Bodies/Local Bodies/PRI, etc. with effect from that date. However, with effect from 01/09/2016, all the EMD/Tender fees in respect of e-tender of all State Government Offices/PSUs/Autonomous Bodies/Local Bodies/PRI, etc will mandatorily be received and refunds/settlements made as per the procedure stated above.



(P A Siddiqui)
Secretary to the
Government of West Bengal
Finance Department

No. 3975/1(500)-F(Y)**Dated, 28th July, 2016**

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata - 700 001.
2. Principal Accountant General (Audit), West Bengal, Tre (West), Kolkata - 700 001.
3. Principal Accountant General (RW & LBA), West Bengal, CGO Complex, 3rd MSO Building, 5 Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary/Principal Secretary/Secretary, Department, with the request to circulate this Order to all subordinate offices, PSUs, Local Bodies, Autonomous Bodies, PRIs under their control.
5. Commissioner, Division.
6. District Magistrate / District Judge / Superintendent of Police,
7. Financial Advisor, Department, Government of West Bengal.
8. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department, for uploading this Order in the Finance Department website.
9. SIO & Director General, National Informatics Centre (NIC), West Bengal, Bidyut Bhavan, Salt Lake, Kolkata-700091.
10. Assistant General Manager, PAD, RBI, Kolkata-700001.
11. Sri Saptarshi Chandra, Chief Manager, Government Limited, 3A, Gurusaday Road, Kolkata - 700019.
12. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd Floor, Kolkata- 700 001.
13. Sub-Divisional Officer,
14. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata - 700012 .
15. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Kolkata -700012
16. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III, IB Market, 1st Floor, Salt Lake, Sector -III, Kolkata - 700106.
17. Treasury Officer,
18. Branch / Group Finance Department.

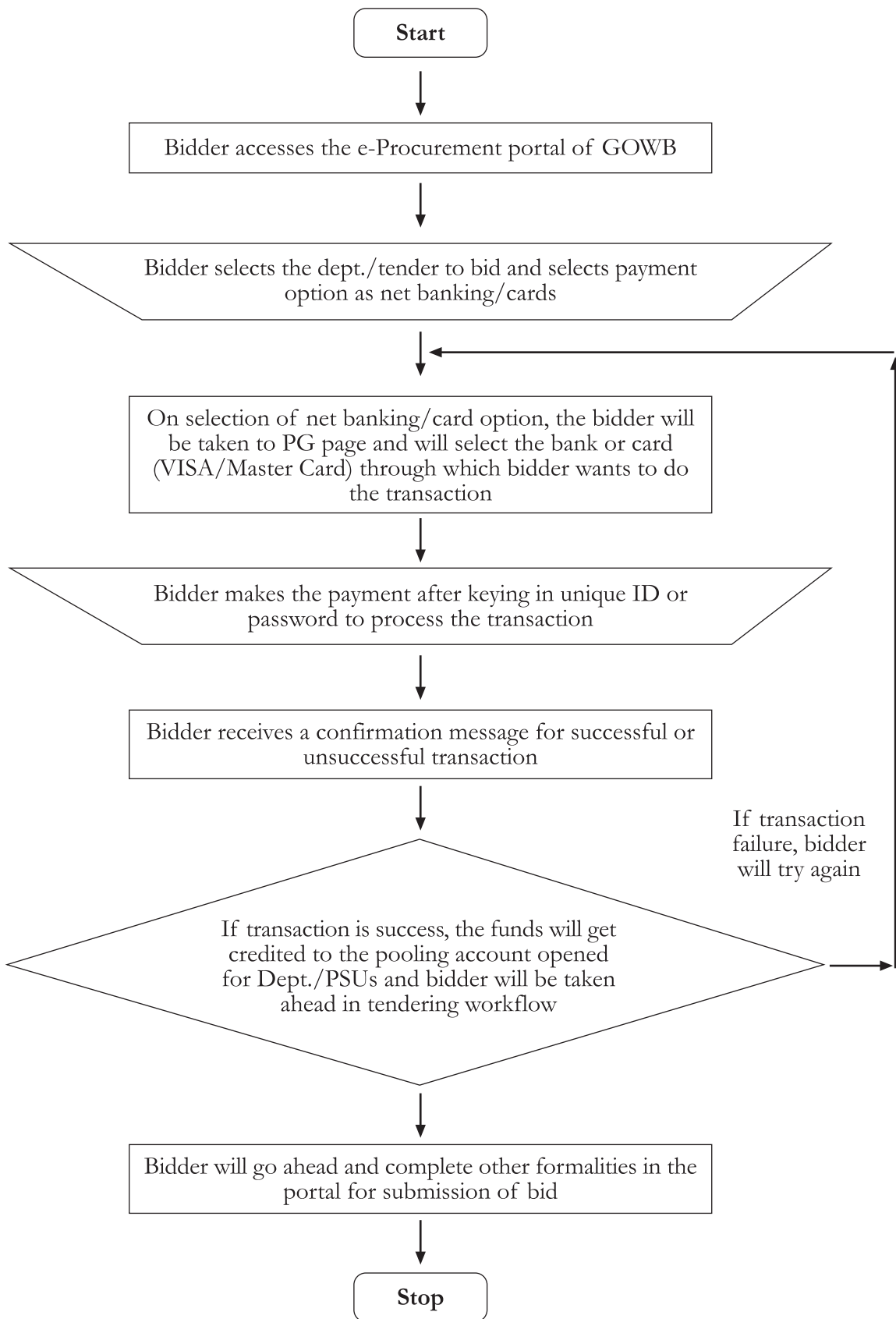


Assistant Secretary to the
Government of West Bengal

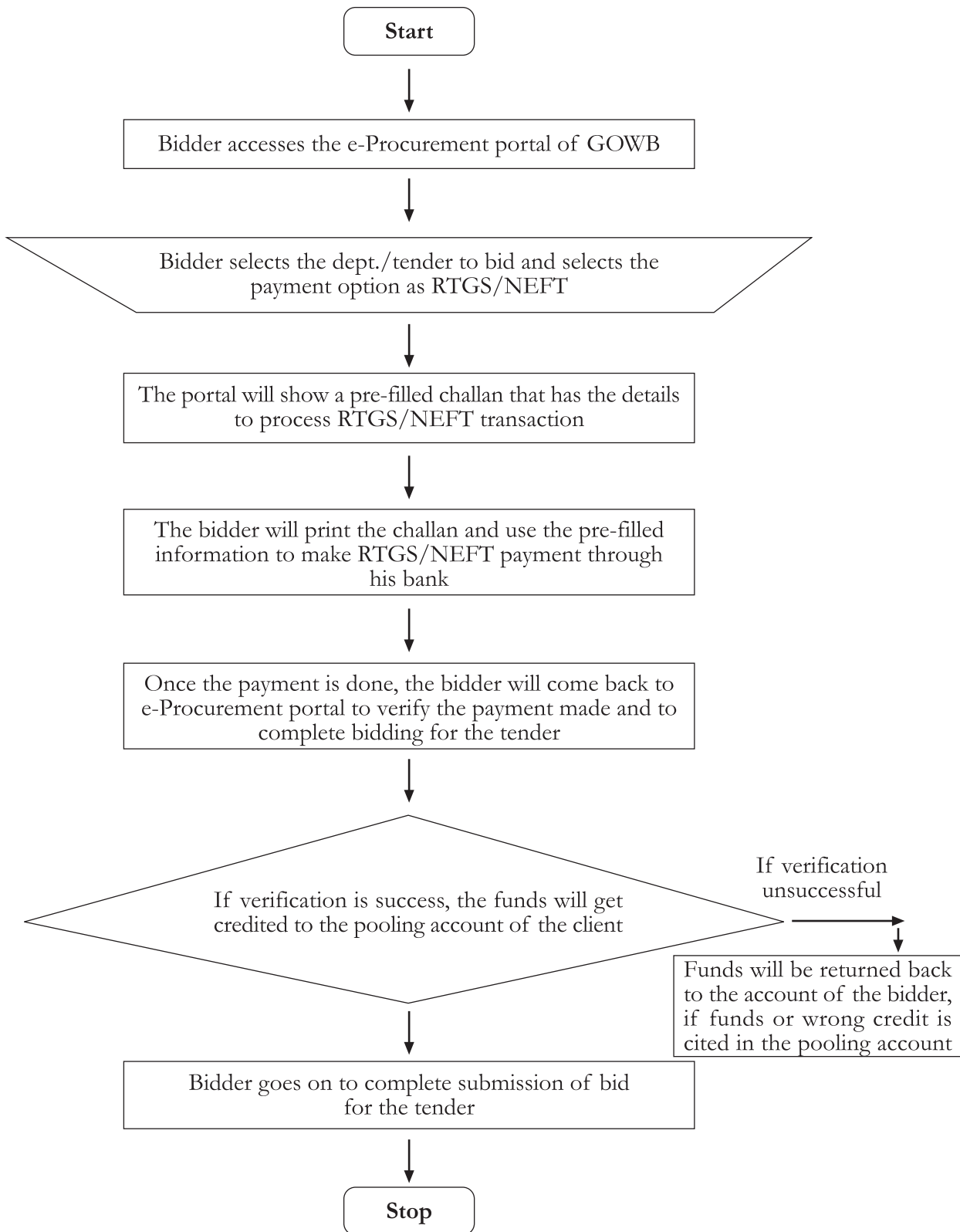
NIC & ICICI BANK E-PROCUREMENT HELPDESK

NAME	LOCATION NIC HELPDESK	CONTACT NO.	MAIL-ID
Mr. Atanu Bhuniya Mr. Tanmoy Lahiri Mr. Nazmus Sahadat Molla Mr. Jayanta Samanta Mr. Niladri Hembram	WBPWD Guesthouse Pranjali, 3/2 St. Georges' Gate Road Hastings More	033-22236236	wbehelpdesk@ gmail.com
Mr. Habibulla Rahaman Mr. Bhaskar Rao Mr. Chandan Dey Mr. Robin Das	Irrigation & Waterways Dept. Jalsampad Bhavan Ground Floor, Salt Lake	9874961136	habibnic@gmail. com b.baskarrao30@ gmail.com
Mr. Chinmaoy Mandal (Murshidabad Helpdesk)	Office of Superintending Engi- neer, C.R. Das Road, P.O.-Berhampore, Dist-Murshidabad, Pin-742101	8158999869 9641902796	hripwdmsd@ gmail.com
Mr. Arindam Bera (Midnapore Helpdesk)	Midnapur Highway Division No.II Public Works (Roads) DTE Saheed Mangal Pandey Sarani, Midnapur 721 101	9641951710	hripwdmed@ gmail.com
Mr. Dinesh Mahato (Burdwan Helpdesk)	P.W.D. Burdwan Division, Aftab Club Court Compound Burdwan	9932302439	hripwd.burdwan. helpdesk@gmail. com
Mr. Raju Das (Maida Helpdesk)	Malda PWD High Division, Singtala Bus Stop Hanta Kalibari	9800262930	hripwdmld@ gmail.com
Mr. Nirupam Nag (Siliguri Helpdesk)	PWD North Bengal Construction Division Air View More (Near 2nd Mahananda Bridge) Hill Cart Road, Siliguri - 734001	7501483711	hripwddjg@ gmail.com
ICICI Bank Helpdesk	NA	033-40267512 033-40267513	saptarshi.chandra @icicibank.com

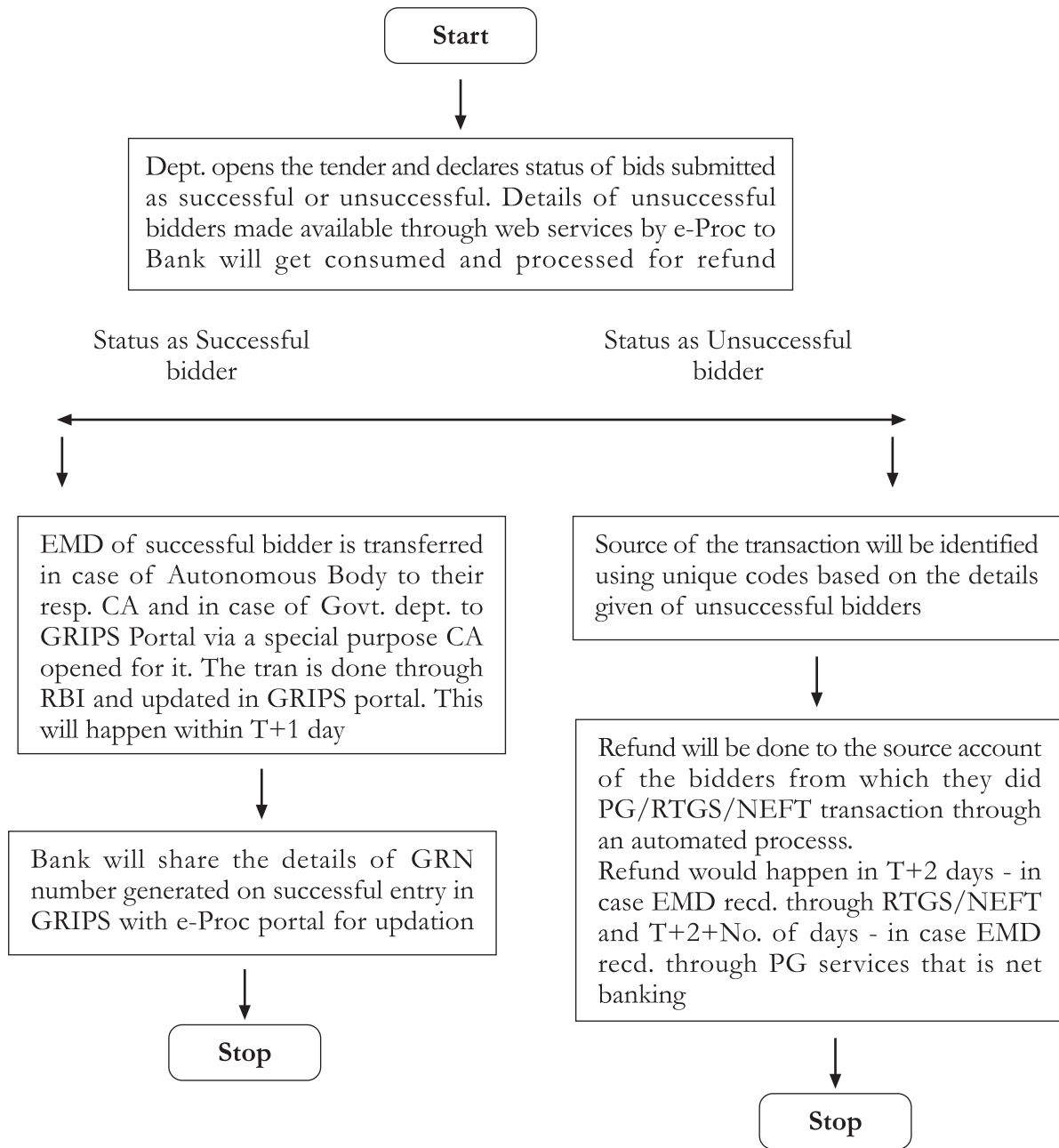
Process for payment through Payment Gateway (PG) (Annexure I)



Process for payment through RTGS/NEFT (Annexure II)



Process of refunds/settlement (Annexure-III)



Government of West Bengal
Finance Department
Audit Branch

NO.4884- F(Y)

Date: 15.09.2016

MEMORANDUM

Sub: e- Tendering/e-Auction

E-Tendering for State Government Offices and State PSUs, Local Bodies, Autonomous Bodies, Parastatals etc. through centralized e-Tender/e-Auction portal of the State Government [<https://wbtenders.gov.in>] for tenders with value above Rs. 50 lakh was made mandatory under FD Notification No. 5400-F(Y) dated 25.06.2012. Subsequently, the base level for mandatory e-Tendering process was reduced from Rs. 50 lakh to Rs. 5 lakh under FD Notification No. 6932-F(Y) dated 29.08.2013.

It has however come to the notice of the Government that some of the State PSUs, Local Bodies, Autonomous Bodies, Parastatals etc. are still not following the e-Tender/e-Auction procedure as prescribed in the above mentioned GOs.

Under such circumstances, it is reiterated that the e-Tender/e-Auction procedure as prescribed in FD Notification No. 5400-F(Y) dated 25.06.2012, No. 3739-F(Y) dated 03.05.2012 and No. 6932-F(Y) dated 29.08.2013 is mandatory and the Managing Director, Commissioner/Chief Executive Officer/ Executive Officer/Finance Officer/Secretary and other Office Bearers of such organisations will be held responsible if the proper e-Tender/e-Auction procedure is not observed in such institutions.

The Secretary of the Departments concerned are requested to circulate this order to all the Parastatals under their departments and also monitor/ensure that e-Tender/e-Auction are followed by all such Parastatals.



(H. K. Dwivedi)

Principal Secretary to the
Government of West Bengal

NO. 4884/1(500)-F (Y)**Dated 15.09.2016**

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata - 700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata - 700001.
3. Accountant General (Receipt, Works & Local Bodies Audit), West Bengal, CGO Complex, 3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary/Principal Secretary/Secretary,
..... Department.
5. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary, Finance Department.
6. Commissioner,Division,
.....
7. Director,
.....
8. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd Floor, Kolkata - 700001.
9. District Magistrate/District Judge / Superintendent of Police,
.....
10. Sub-Divisional Officer,
11. Block Development Officer,
12. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, &1/2/2, Phears Lane, Kolkata -700012.
13. Pay & Accounts Officer, Kolkata Pay & Accounts Office HI, P-1, Hyde Lane, Kolkata 700073.
14. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I Sector III, Salt Lake, Kolkata - 700106.
15. Treasury Officer,
.....
16. Group/..... Branch, Finance Department.
17. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to upload copy of this order in the website of Finance Department.



Secretary to the
Government of West Bengal

Government of West Bengal
Finance [Audit] Department,
“NABANNA” 10th Floor, Mandirtala,
Howrah - 711 102

No.:5688-F(Y)

Dated the 3rd November, 2016

MEMORANDUM

Sub: Procedure for Transfer of EMD received online through the e-tender portal to the Security Deposit Head of Account maintained at the Treasury/PAO.

Finance Department vide G.O. No. 3975-F(Y) dated 28.08.2016 has detailed the procedure of accounting of EMD money of the successful bidders through e-Tender portal of the Government of West Bengal. But after abolition of LOG system Security Deposit Account of the Works/Forest Departments is maintained at the treasuries vide G.O. No. 3292-F(Y) dated 24.04.2015. Now the question arises as how the EMD money shall be transferred to the Security Deposit Account maintained at the treasury and how the refund shall be made to the contractors/suppliers on successful completion of the intended work. The matter was under active consideration of the Government for sometime past and the Governor is pleased to prescribe the following procedure for the same :

- 1) The Departmental Officer of the department inviting tender shall submit the bill through the regular DDO of the establishment for transfer of fund into Security Deposit Account maintained at the Treasury/PAO. The sanction order for such shall be made by the Departmental Officer in whose favour deposit was made.
- 2) The bill shall be submitted at the Treasury/PAO where the Security Deposit Account exists and through the regular DDO already transacting business with the Treasury/PAO in TR Form No. 42 through e-Billing module of IFMS under the Head of Account ‘8443-00-103-001-23’ for transfer of fund to the Security Deposit Account (Under head of account ‘8443-00-108-004-07-Works Security Deposit or ‘8443-00- 109-003-07-Forest Security Deposit’) following the procedure detailed in G.O. No. 161 I-F(Y) dated 18.03.2016.
- 3) DDO shall ensure the Operator Code and Scheme ID assigned by the Treasury/PAO while preparing the transfer bill through e-Billing module.
- 4) After successful completion of the work, DDO shall prepare the refund of Security Deposit Bill in TR Form No. 70C through e-Billing module of IFMS under the Head of Account ‘8443-00-108-004-23-Works Security Deposit’ or ‘8443-00-109-003-23- Forest Security Deposit’, as the case may be, following the usual procedure.
- 5) In case after transferring the fund from EMD account head to Security Deposit Account, any amount of Security Deposit or part, thereof is required to be forfeited due to terms of the tender or any other reasons, such may be transferred to the appropriate revenue head of the government in TR Form No.70C accompanied by TR- 7A challan through e-Billing module of IFMS.
- 6) Payment from the head of EMD and receipt into the Security Deposit Account shall be reflected in the Plus-Minus Memo of the concerned Treasury/PAO accordingly.

Sd/- P. A. Siddiqui
 Secretary to the
 Government of West Bengal

No. 5688//1(500)-F(Y)**Dated, the 3 rd November, 2016**

Copy forwarded for information and necessary to :-

- 1) The Principal Accountant General (A&E) West Bengal, Treasury Buildings, Kolkata-1.
- 2) The Principal Accountant General (Audit) West Bengal, Treasury Buildings, Kolkata- 1.
- 3) The Additional Chief Secretary/Principal Secretary/Secretary,
- 4) The Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata-700012.
- 5) The Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Kolkata-700 073.
- 6) All Special Secretary/Joint Secretary/Deputy Secretary/Assistant Secretary/O.S.D./Registrar of this Department
- 7) The Deputy Secretary, Finance Department, Accounts Branch, Nabanna, Howrah
- 8) The Accounts Officer, West Bengal Secretariat, Bikash Bhavan, Salt Lake, Kolkata-91
- 9) The District Magistrate/Judge
- 10) The Sub-Divisional Officer,
- 11) The Treasury Officer,
- 12) The Commissioner,
- 13) The Superintendent of Police,
- 14) The Pr. Industrial Training Institute,
- 15) The Superintending Engineer/Exe. Engineer,
- 16) All Groups/Cells/Branches of this Department
- 17) Sri Sumit Mitra, Network Administrator Finance(Budget) Department

He is requested to upload copy of this order in the website of Finance Department



Deputy Secretary
to the Government of West Bengal

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

No. 925- F(Y)

Dated, the 14th of February, 2017

MEMORANDUM

Sub : Revised norms for acceptance of L1/H1 bid/Single bid when the No. of qualified bidders during 2nd call is less than 3

As per FD Memo No. 9754-F(Y) dated 03.12.2012, if the response to Tender (including e-Tender) is less than three (3), then Tender is invited afresh in terms of note 1 below rule 47(8) of West Bengal Financial Rules as amended by this department Notification no. 5400-F(Y) dated 25.6.2012. **The Tender Notice and Re-Tender notice, if any, is required to be published in widely circulated dailies and also through e-Tender portal in case of e-Tender/e-Auction. Prior to invitation of Tender/Auction the eligibility criteria and other terms & conditions are required to be prepared carefully by the Tender Inviting Authority. However, in case of 2nd call, if any, the eligibility criteria and other terms & conditions as contained in the first 'Notice Inviting Tender' are required to be reviewed by the Tender Inviting Authority to ascertain whether-**

- i. It was too much restrictive, say, specifications and qualifications were fixed at higher standard than required,
- ii. Advertisements in the widely circulated Newspapers were properly published and
- iii. Other related procedural matters were observed in its entirety.

However, it has been observed that in many cases the **above provisions and procedures** of reviewing the eligibility criteria and wide publication of the NIT **for tender/ 2nd call are not being properly observed** by the Tender Inviting Authority and the departments.

Also, in some cases, extending the time for submission of bids after the expiry of normal time is regarded as equivalent to re-tender or fresh tender.

Under such circumstances, in partial modification of this Department Memorandum No. 9754-F(Y) dated 03.12.2012 and the related orders issued in this regard, the following provisions regarding extension of last date of submission of bids and acceptance of bids when the nos. of qualified bidders during re-tender is less than three (3) are to be followed:

I. Extension of date:

- a. The tender process shall be initiated well in advance keeping in mind that there may be a situation for extension of last dates and/or re-tender.
- b. Last date of submission may be extended if the notice of extension is issued within the life of the tender period.
- c. After expiry of the Tender period date cannot be extended, however re-tender may be invited.
- d. Extension of date cannot be treated as 2nd or subsequent Call.

II. If the number of qualified bidders during tender/re-tender/re-Auction is less than 3 :

The Tender Inviting Authority (TIA) shall take a decision based on following situations -

A. If the estimate is less than 5 lakhs :

Case 1: If the no. of qualified bidder is 1 during retender, the Departmental Head Secretary may accept the tender in consultation with the FA of the Department.

Case 2: If the no. of qualified bidder is 2 during retender, The Tender Inviting Authority may accept the tender on recommendation of the Tender Committee.

B. If the estimate is equal to or more than 5 lakhs but not more than One Crore:**Case 1: If the no. of qualified bidder is one during retender :**

- i) If the Bid is within 2% above the Estimate, the Departmental Head / Secretary may accept the tender in consultation with the FA of the Department on recommendation of the Departmental Tender Committee
- ii) If the Bid is beyond 2% above the Estimate, the Departmental Head / Secretary, consultation with the FA of the Department will refer the file to the Finance Department.

Case 2 : If the no. of qualified bidder is two during retender :

- i) If the Bid is within 2% above the Estimate, the Tender Inviting Authority may accept the tender on recommendation of the Tender Committee.
- ii) If the Bid is more than 2% but less than 5% above the Estimate, the Department Head/Secretary may accept the tender in consultation with the FA of the Department on recommendation of the Departmental Tender Committee
- iii) If the Bid is more than 5% above the Estimate, the Departmental Head/Secretary in consultation with the FA of the Department will refer the file to the Finance Department for approval.

C. If the estimate is more than one Crore :

The Departmental Head / Secretary, in consultation with the FA of the Department and Departmental Tender Committee will refer the file to the Finance Department

However, in all such cases at A, B and C above, the following procedure is to be observed :

- 1) In case the tender is to be accepted by the Head of the Administrative Department Secretary, the TIA will forward the case along with the duly filled up Form a (Annexure-I) and necessary documents to the Head of the Administrative Department. The Head of the Administrative Department, in consultation with the FA of the Department on recommendation from the Departmental Tender Committee, will take the decision and accord approval at his level.
- 2) If the case is to be referred to Finance Department through the Head of the Administrative Department/Secretary, the TIA will forward the case along with the duly filled up Format (Annexure-I) and necessary documents to the Head of the Administrative Department. The Head of the Administrative Department, in consultation with the FA of the Department on recommendation from the Departmental Tender Committee, will forward the file to the Finance Department along with necessary justifications.
- 3) All the administrative Departments may constitute a Departmental Tender Committee if not already done, for doing the above noted work.

This order takes effect from 15.02.2017.



Principal Secretary to the
Government of West Bengal

No. 925-F(Y)

Dated : 14 February, 2017

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata-700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata-700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex, 3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary / Principal Secretary/Secretary, Department. **He is requested to circulate the same to all Autonomous and Statutory Bodies/Local Bodies/PSUs/Parastatals, etc under his administrative control.**
5. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary, Finance Department.
6. Department.
7. Commissioner, Division,
8. Director,
9. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd Floor, Kolkata-700001.
10. District Magistrate/District Judge/Commissioner of Police/Superintendent of Police
11. Sub-Divisional Officer,
12. Block Development Officer,
13. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata -700012.
14. Pay & Accounts Officer, Kolkata Pay &Accounts Office-I I, P-I, Hyde Lane, Kolkata - 700073.
15. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III, IB Market, 1st Floor, Block IB, Sector III, Salt Lake, Kolkata - 700106.
16. Treasury Officer,
17. Group/..... Branch, Finance Department.
18. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to upload copy of this order in the website of Finance Department.



Assistant Secretary to the
Government of West Bengal

Annexure I

Estimated amount	
Amount put to tender	
In case of First Call	
Eligibility Criteria (Technical)	
Eligibility Criteria (Financial)	
Details of Publications of NIT Date of NIT Last Date of submission of bid :	
Last Date of submission of bid : Names of Newspapers in which publicity was made: Whether e-Tender:	
Nos. of Bidders Responded	
Nos. of Technically Qualified Bidders	
In case of 2nd Call	
Revised Eligibility Criteria (Technical)	
Revised Eligibility Criteria (Financial)	
Details of Publications of NIT Date of NIT Last Date of submission of bid: Names of Newspapers in which publicity was made: Whether e-Tender	
Nos. of Bidders Responded	
Nos. of Technically Qualified Bidders	
Details of Financial Bids received	
Whether and by what % is the L1 bid is -	
a. Below the amount put to tender b. at par the amount put to tender c. beyond the amount put to tender d. Reasonable market rates	
Specific Comments of TIA with reasons justifying and recommending the acceptance of LI bid from less than three (3) bidders	
Specific Recommendation of the FA	
In case of (a) & (b) recommendation of Head of the Administrative Department	

Government of West Bengal
Finance Department
Audit Branch

No. 2592-F(Y)

Date : 27.04.2017

MEMORANDUM

Sub: e-Tender: Selection of numbers of authorised officers

Of late it is being observed that the State Government offices are facing difficulties in processing e-Tenders due to transfer, retirement, etc. of one or more of the members of the Tender Committee of the Departments / Offices. The problem arises due to technical restriction in the e-Procurement portal which allows only the officers who uploaded the e-tender to evaluate/open that particular tender. If due to any reason an officer ceases to be in the post due to transfer, retirement, etc. after an e-tender was floated, the new officer in spite of having joined the post and having a DSC, is not able to take part in the tender evaluation process of the e-tender already uploaded as a result of which the tender process gets stalled.

In order to minimize such interruptions in the tender evaluation process due to non availability of any officer on the date of opening of an e-tender, all Tender Committees are hereby advised to upload the e-tender document by using 3 or 4 members DSC by selecting either (a) 2 of 4 or (b) 2 of 3 out of the options available in the e-Procurement portal.

However, the officer who has joined in place of any existing member shall be required to sign on the physical papers wherever required as newly inducted member of tender committee.



Secretary to the
Government of West Bengal

No. 2592/1(500) -F(Y)

Date : 27.04.2017

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E) West Bengal, Treasury Buildings, 2, Government Place West, Kolkata - 700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata - 700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex, 3rd MSO Building, 5thFloor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary / Principal Secretary / Secretary,
..... Department. **He is requested to circulate this Memo among all Local Bodies/Statutory Bodies/PSUs/Parastatals, etc under the administrative control of his department.**
5. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary, Finance Department.
6. Department.
7. Commissioner, Division
8. Director,
9. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd Floor, Kolkata-700001.
10. District Magistrate/District Judge/Superintendent of Police,
11. Sub-Divisional Officer,
12. Block Development Officer,
13. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata - 700012.
14. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Kolkata - 700073.
15. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III, IB Market, 1st Floor, Block IB, Sector III, Salt Lake, Kolkata - 700106.
16. Treasury Officer,
17. Group...../..... Branch, Finance Department.
18. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to upload copy of this order in the website of Finance Department.



Assistant Secretary to the
Government of West Bengal

Government of West Bengal
Finance [Audit] Department
“NABANNA”
325,S.C.Road, Howrah- 711 102

No. : 3836-F(Y)/FA/0/2M/71/14[Pt-II]

Dated: 19.06.2017

Sub.: Provisions regarding Dynamic e-Auction

Different establishments of the Government of West Bengal presently undertake dynamic e-Auction procedure for sale of materials owned by them and in the process they are facing difficulties in fixing the ‘Starting Bid Price’- below which no bidders will be allowed to bid. Under the circumstances, the Governor is pleased to incorporate the following provisions for the dynamic e-Auction process of Government of West Bengal.

1. The ‘Starting Bid Price’ is not confidential and shall be displayed at auction bid page against each item for information to the bidder.
2. ‘Starting Bid Price’ shall be fixed by the “Auction Inviting Authority”.
3. “Starting Bid Price” shall be as follows :-
 - i) In case of prime/fast moving materials the prevailing market price inclusive of all taxes rounded off to nearest hundred rupees will act as ‘Starting Bid Price’
 - ii) In case of slow moving and non moving material 80% of prevailing market price inclusive of all taxes rounded off to nearest hundred rupees will act as ‘Starting Bid Price’.
 - iii) In case of the item to be auctioned is of exceptional nature and prevailing market rate of which is not ascertainable, then the e-Auction shall comprise of following two rounds.

a. First Round of e-Auction

In this round the bidder shall be required to submit (1) ‘Technical Bid’(2) ‘Initial Price offer’.

Only those bidders who are found to be eligible in terms of “Prescribed Eligibility Condition” and whose “Initial Price Offer” is equal to or more than “Reserve Price” will be eligible for 2nd round auction.

Eligible bidders will be not less than three in 1st round e-Auction. Highest “Initial Price Offer” among the technically eligible bidders will be treated as “Floor Price” for 2nd round e-Auction. Top five technically qualified bidders (if number of bidders is more than five) according to initial financial bid shall be considered to be qualified for participating in the 2nd round e-Auction and intimation shall be restricted to the qualified bidders.

b. Second Round of e-Auction

In 2nd round, the qualified bidders may submit their “Final Price Offers” which must be greater than the “Floor Price”. The “Final price offer” may be revised till the conclusion of the e-Auction. The e-Auction process shall be annulled if none of the qualified bidders submit a “Final Price Offer” on the online electronic platform. The qualified bidder who submits the highest “Final Price Offer” shall be declared as the “Preferred Bidder” immediately on the conclusion of the e-Auction.

4. In case of dynamic e-Auction if the number of bidder is less than three then afresh e-Auction to be initiated after re-fixing the technical qualification and giving wider publication.
5. In case of 2nd call the number of bidders is still less than three then with the recommendation of Auction Committee the Secretary in charge of the Department may accept the H1 bid if it is more than reserve price.
6. In case the HI bidder does not turn up, the 2nd highest bid may be accepted if the bid is not less than Reserve Price, after taking necessary action against the H1 bidder after observing all rules, procedures and terms of bid document.

Sd/- H.K.Dwivedi
Principal Secretary
Government of West Bengal

No, 3836/ 1(500)-F(Y)

Dated : 19.06.2017

Copy forwarded for information and necessary action to :-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place [West] Kolkata - 700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place [West] Kolkata - 700 001.
3. The Accountant General [Receipts, Works and Local Bodies [Audit], West Bengal, C.G.O. Complex, 3rd MSO Building, 5th floor, Block DF, Sector-1, Salt Lake, Kolkata - 64 .
4. The Chief Secretary to the Government of West Bengal .
5. The Resident Commissioner, Government of West Bengal, A/2, State Emporia Buildings, Baba Kharak Singh Marg, New Delhi - 110 001.
6. The Additional Chief Secretary / Principal Secretary / Secretary,
7. The Commissioner, Division
8. The Special Secretary/ Additional Secretary/ Joint Secretary/ Deputy Secretary, Finance Department.
9. The Pr. A.O. & Ex Officio Joint Secretary, Finance [Budget] Department. He is requested to upload this order in the Finance Department website.
10. TheDepartment/Directorate.
11. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Buildings, 4, Lyons Range, Kolkata - 700 001.
12. The Director,
13. The District Magistrate/District Judge/ Superintendent of Police,
14. The Sub-Divisional Officer,
15. The Pay &Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata - 700 012.
16. The Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Jawahar Buildings, Kolkata - 700 073.
17. The Pay & Accounts Officer, Kolkata Pay & Accounts Office-III I.B. Market, Sector - III, Salt Lake, Kolkata - 700 091.
18. The Treasury Officer,
19. TheGroup/Branch, Finance Department
20. Shri Sumit Mitra, Network Administrator, Finance Department for uploading in the website of Finance Department



Assistant Secretary to the
Government of West Bengal

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

No.4378-F(Y)

Dated, the 13th July, 2017

MEMORANDUM

Revised provisions regarding extension of last date for submission of bids and acceptance of bids when the number of qualified bidders during re-tender is less than three has been laid down in FD Memorandum No. 925-F(Y) dated 14.02.2017.

But in spite of clear stipulation in the said Order that extension of date cannot be treated as 2nd or subsequent call, references are being received requesting to treat extension of last date for submission of bids as 2nd or subsequent call.

It is hereby reiterated that **extension of last date of submission of bids cannot be treated as 2nd or subsequent call of a tender.**

Also, information on **'Minimum period for submission of tender from the last date of publication'** should be furnished in Annexure-I of Memorandum No. 925-F(Y) dated 14.02.2017 instead of information on **'Last date of submission of bid'**.

Further, recommendation of the Head of the Administrative Department should be furnished in Annexure-I of Memorandum No. 925-F(Y) dated 14.02.2017 instead of furnishing the recommendation only for the re-tenders with L1 bid below or at par with the amount put to tender.

The revised Annexure-I of Memorandum No. 925-F(Y) dated 14.02.2017 is enclosed with this Order.



Joint Secretary to the
Government of West Bengal

No.4378 (1/500)-F(Y)

Dated, the 13th of July, 2017

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata - 700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata - 700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex, 3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.

4. Additional Chief Secretary/Principal Secretary/Secretary,
..... Department. **He is requested to circulate the same to all Autonomous and statutory bodies/Local Bodies/PSUs/Parastatals, etc under his administrative control.**
5. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary, Finance Department.
6. Department.
7. Commissioner, Division,
.....
8. Director,
.....
9. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd Floor, Kolkata -700001.
10. District Magistrate/District Judge/Commissioner of Police/Superintendent of Police
.....
.....
11. Sub-Divisional Officer,
12. Block Development Officer,
13. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata -700012.
14. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Kolkata - 700073.
15. Pay &Accounts Officer, Kolkata Pay & Accounts Office-III, IB Market, 1st Floor, Block IB, Sector III, Salt Lake, Kolkata - 700106.
16. Treasury Officer,
17. Group...../.....Branch, Finance Department.
18. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to upload copy of this order in the website of Finance Department.

Assistant Secretary to the
Government of West Bengal

Annexure I

Estimated amount	
Amount put to tender	
In case of First Call	
Eligibility Criteria (Technical)	
Eligibility Criteria (Financial)	
Details of Publications of NIT Date of NIT Minimum Period for submission of tender from the last date of publication Names of newspapers in which publicity was made Whether e-Tender	
Nos. of Bidders Responded	
Nos. of Technically Qualified Bidders	
In case of 2nd Call	
Revised Eligibility Criteria (Technical)	
Revised Eligibility Criteria (Financial)	
Details of Publications of NIT Date of NIT Minimum Period for submission of tender from the last date of publication Names of newspapers in which publicity was made Whether e-Tender	
Nos. of Bidders Responded	
Nos. of Technically Qualified Bidders	
Details of Financial Bids received	
Whether and by what % is the L1 bid is -	
a. Below the amount put to tender b. At par the amount put to tender c. Beyond the amount put to tender d. Reasonable market rates	
Specific Comments of TIA with reasons justifying and recommending acceptance of L1 bid from less than three (3) bidders	
Specific Recommendation of the FA	
Recommendation of Head of the Administrative Department	

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

No 2365-F(Y)

Dated 12th April, 2018

MEMORANDUM

Sub: Online Tender Fees/EMD in e-Tender Portal

Online receipt and refund of EMD and Tender Fees, as applicable, on the State Government's e-Procurement Portal (<https://wbtenders.gov.in>) through the linked Payment Gateway has been made mandatory vide FD's Memo No. 3975-F(Y) dated 28.07.2016.

2. It has come to the notice of the State Government that some of the State PSUs/Autonomous Bodies/Local Bodies/Parastatals under the administrative control of the State Government are not observing the procedure for online receipt and refund of EMD/Tender Fees prescribed in the Memo. *ibid*. This is not in line with the e-Procurement Policy of the State Government.
3. Therefore, it is clarified that in case any entity under the State Government including Autonomous Bodies/Local Bodies/Parastatals does not follow the prescribed procedure for online receipt and refund of EMD/Tender fees, such tender shall not be treated as valid.



(H. K Dwivedi)

Additional Chief Secretary
to the Government of West Bengal

No. 2365/1(500)-F(Y)**Date : 12.04.2018**

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata - 700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata -700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex, 3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary/Principal Secretary/Secretary,
.....Department. **He is requested to circulate the same to all Directorates/Regional Offices/Societies/PSUs/Statutory Organisations/Autonomous Bodies/Parastatals under the administrative control of his Department.**
5. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary, Finance Department.
6. Financial Advisor,Department.
7. Commissioner, Division,
8. Director,
9. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd Floor,Kolkata -700001.
10. District Magistrate/District Judge/Superintendent of Police,
11. Sub-Divisional Officer,
12. Block Development Officer,
13. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata - 700012.
14. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Kolkata -700073.
15. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III, IB Market, 1st Floor, Block IB, Sector III, Salt Lake, Kolkata - 700106.
16. Treasury Officer,
17. Group...../..... Branch, Finance Department.
18. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to upload copy of this order in the website of Finance Department.



Assistant Secretary to the
Government of West Bengal

Works Contract

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

No.8182-F(Y)

Kolkata, the 26th September, 2012

MEMORANDUM

**Subject: Modification of Clause relating to Settlement of Disputes under
Conditions of Contract**

The Dispute Redressal mechanism as contained in the general conditions of contract for Works has been engaging the attention of the Government for some time past. The present system of dispute redressal contained in Clause 25 of the General Conditions of Contract of the State Public Works Department reads as -

“Clause 25 - Except where otherwise provided in the contract all questions and disputes relating to the meaning of the specifications, designs, drawings and instructions herein before mentioned and as to the quality of workmanship or materials used on the work or as to any other question, claim, right, matter or thing whatsoever, in any way arising out of relating to the contracts designs, drawings specifications, estimates, instructions, orders or these conditions or otherwise concerning the works, or the executions or failure to execute the same, whether arising during the progress of the work, or after the completion or abandonment thereof shall be referred to the sole arbitration of the Chief Engineer of the Deptt. Should the Chief Engineer be for any reason unwilling or unable to act as such arbitrator, such questions and disputes shall be referred to an arbitrator to be appointed by the Chief Engineer. The award of the arbitrator shall be final conclusive and binding on all parties to this contract.

The award shall be a speaking one, i.e., the arbitrator shall recite facts and reasons arising in support of the award after discussing fully the claims and conditions of the parties.

[This Clause (viz no 25) shall not be applicable and shall be treated to be deleted for contract up to Rs. 100 lakhs (Rupees one hundred lakhs) in case of PWD Vide G.O. No. PWD.1(7)-Adt/IM-10/81 pt. Dt 6.1.95 and Rs. 100 lakh in case of I&W Deptt. (Vide G.O. No. 1626 (8)-IA dt.23.11.2001)]

2. Existing Clause 25 as quoted above needed to be reviewed to protect the interest of the Government and the contractors. Accordingly, the Governor is pleased to replace the existing Clause 25 with the following:

“Clause 25 - Except where otherwise provided in the contract all questions and disputes relating to the meaning of the specifications, designs, drawings and instructions herein before mentioned and as to the quality of workmanship or materials used on the work or as to any other question, claim, right, matter or thing whatsoever, in any way arising out of relating to the contracts designs, drawings specifications, estimates, instructions, orders or these conditions or otherwise concerning the works, or the executions or failure to execute the same, whether arising during the progress of the work, or after the completion or abandonment thereof shall be dealt with as mentioned hereinafter:

If the contractor considers any work demanded of him to be outside the requirements of the contract, or disputes any drawings, record or decision given in writing by the Engineer- in-Charge on any matter in connection with or arising out of the contract or carrying out of the work, to be unacceptable, he shall promptly within 15 days request the Chairman of the Dispute Redressal Committee in writing for written instruction or decision. Thereupon, the Dispute Redressal Committee shall give its written instructions or decision within a period of three months from the date of receipt of the contractor's letter.

The Dispute Redressal Committee in each of the Works Departments shall be constituted with the following officials as members -

1	Additional Chief Secretary/Principal Secretary/Secretary of the Department concerned.	Chairman
2	Engineer-in-Chief/Chief Engineer or any officer of equivalent rank of the Department.	Member
3	One Designated Chief Engineer/Engineer of the Department to be nominated by the Department concerned.	Member Secretary and Convener
4	One representative of Finance Department of the Government not below the rank of Joint Secretary or Financial Adviser in case of the works Department where FA system has been introduced	Member

This provision will be applicable irrespective of the value of the works to which the dispute may relate.”

This order will take immediate effect and be applicable to all the State Government Departments.

Sd/-

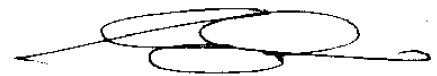
(H. K. Dwivedi)

Secretary to the
Government of West Bengal.

No. 8182/1(100)-F(Y)**Kolkata, the 26th September, 2012**

Copy forwarded for information and necessary action to:-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit), West Bengal, C.G.O. Complex, East Wing, 5th Floor, Salt Lake, Sector-I, Kolkata-700 064.
4. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department.
5. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata - 700 001.
6. The Commissioner,
7. The District Magistrate,
8. The Sub-Divisional Officer,
9. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - I, 81/2/2, Phears Lane, Kolkata - 700 012.
10. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-1, Hyde Lane, Kolkata - 700 012.
11. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 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.



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

Government of West Bengal
Finance Department
Audit Branch

No.1177-F(Y)

Dated, 28th February, 2014

MEMORANDUM

It has come to the notice of the state Government that enlistment of contractors is coming in the way of the e-tender procedure, since in such cases scope of the tender gets limited only to those contractors who are enlisted in the Department. The updating of enlistment is also not done on a periodic basis, depriving new entrepreneurs from participating in development efforts of the State Government. Thus the system of enlistment is not only defeating the transparency introduced through e-tender, but also is hindering the interest of new contractors/entrepreneurs. In the works departments, enlistment of contractors has been done on the basis of threshold value of the works which in many cases exceed Rs. 5 lakh, i.e., the base level of e- tender. Bringing financial propriety, fairness and transparency through open tender procedure has been engaging the attention of the State Government for some time past. Accordingly, e- tender for procurement of and above Rs. 5 lakh has been made mandatory by the State Government vide FD notification no. 6932-F(Y) dt.29.8.13 read with notification no. 5400-F(Y) dt.25.6.12.

Now, therefore, the Governor is pleased is issue the following instructions regarding contractors enlisted by the works departments of the State Government and availability of their tender documents:-

- i. The Works Departments, i.e., PWD, I&WD, Housing, WRIDD, PHED, Sundarban Affairs Dptt. (incl. Sunderban Development Board), P&RD (including PR institutions), MED, UD (including organization/autonomous bodies under the Dptt.) shall abolish the system of enlistment of contractors with immediate effect, until further order. All works of and above Rs. 5 lakh for which e-tendering is mandatory would be awarded through open e-tender without any reservation for any particular class of contractors;
- ii. The Works Departments will give effort to develop new contractors for works valued below Rs.5 lakh for which conventional procedure of open tender is adopted, say, by scaling down the qualifying experience and other technical criteria required for selection.
- iii. All the works departments will ensure availability of tender documents free of cost in their departmental website even for works valued below the base level of e-tender;
- iv. In case of e-tendering, EMD/Bid security shall be collected as soft copy (scanned copies of the originals) for instruments (Cheques/Bank Draft / Bank Guarantee, etc.) and in case of deposit of money it should be compulsorily deposited on-line by the bidders. The hard copy of the documents given online by the bidders should be submitted to the tender inviting authority in separate cover before tender opening date;
- v. E-Tender documents should be made available only through the State Government e-Tender portal, namely, <https://wbtenders.gov.in> free of cost.

Sd/-H.K. Dwivedi
Principal Secretary to the
Government of West Bengal

No. 1177/1(250)-F(Y)

Dated, 28th February, 2014

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. PA to the Chief Secretary, Government of West Bengal
4. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department, Govt. of West Bengal.
5. Financial Advisor, Department, Govt. of West Bengal.
6. OSD & Ex-officio Secretary, Finance (Budget) Department, Government of West Bengal.
7. PA to the Principal Secretary, Finance Department, Government of West Bengal.
8. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range (2nd& 3rd floor), Kolkata - 700 001.
9. The Commissioner,
10. The District Magistrate,
11. The Sub-Divisional Officer,
12. The Pay & Accounts Officer, Kolkata Pay & Accounts Office -1, 81/2/2, Phears Lane, Kolkata - 700 012.
13. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-I, Hyde Lane, Kolkata - 700 012.
14. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III,
15. The Treasury Officer,
16.
17. The Principal Accounts Officer & Ex-Officio Joint Secretary, Finance (Budget) Department, for uploading this Notification in the Finance Department website.


(G. Samanta)

Joint Secretary to the
Government of West Bengal.

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

No.1592 -F(Y)

Dated, 20th March, 2014

MEMORANDUM

In order to further streamline the process of selection of the contractor/supplier through open and transparent competition and also in the interest of discovery of the price through free, transparent and fair means, Government has decided to relax the provision of submission of hard copy of the original EMD documents to the tender inviting authority before financial evaluations of bids in case of e-tender.

Therefore, the undersigned is directed by the order of the Governor to substitute item no. iv of FD memo. No. 1177-F(Y) dt. 28.02.2014 with the following:-

“iv. in case of e-tendering, EMD/Bid security shall be collected as soft copy (scanned copies of the originals) for instruments (Cheques/bank Draft/bank Guarantee, etc.) and in case of deposit of money it should compulsorily be deposited on-line by the bidders. The LI bidder shall submit the hard copy of the documents to the tender inviting authority with his acceptance letter of the LOI. Failure to submit the hard copy with the acceptance letter within the time period prescribed for the purpose, may be construed as an attempt to disturb the tendering process and dealt with accordingly legally including blacklisting of the bidder.”

The Works departments will take action to amend their departmental codes accordingly.

Necessary amendment will be made in the West Bengal Financial Rules in due course.

Sd/-H.K. Dwivedi
Principal Secretary to the
Government of West Bengal
Dated, 20th March, 2014

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. Chief Secretary to the Government of West Bengal.
4. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department, Govt. of West Bengal.
5. PA to the Principal Secretary, Finance Department, Government of West Bengal.
6. Secretary, Finance (Audit) Department, Government of West Bengal
7. Secretary, Finance (Budget) Department, Government of West Bengal.
8. Financial Advisor, Department, Govt. of West Bengal.
9. The Principal Accounts Officer & Ex-Officio Joint Secretary, Finance (Budget) Department, for uploading this Notification in the Finance Department website.
10. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range (2nd& 3rd floor), Kolkata - 700 001.
11. The Commissioner,
12. The District Magistrate,
13. The Sub-Divisional Officer,
14. The Pay & Accounts Officer, Kolkata Pay & Accounts Office -I, 81/2/2, Phears Lane, Kolkata - 700 012.
15. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-1, Hyde Lane, Kolkata - 700 012.
16. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 1st Floor, Salt Lake, Sector-III, Kolkata-700 106.
17. The Treasury Officer,
18.



(G. Samanta)

Joint Secretary to the
Government of West Bengal

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

No.2254-F(Y)

Dated, 24th April, 2014

NOTIFICATION

In exercise of the power conferred by Clause (3) of Article 166 of the Constitution of India, the Governor is pleased hereby to make the following amendments in the West Bengal Financial Rules, Volume-I, as subsequently amended (hereinafter referred to as the said Rules), namely:-

1. clause (a) of Rule 177 of the said rules is deleted
2. clause (c) of Rule 177 of the said rules is substituted with the following:-
 - i. Subject to any special rule or order or procedure that may be prescribed by the Government in respect of a particular department, open tender shall invariably be invited for execution of works worth Rs. 1,00,000=00 or more.
 - ii. For works valued at Rs. 5 lakh and above, e-tendering through the centralized e-Tender Portal [<http://wbtenders.gov.in>] is mandatory, in addition to publication in print media.
 - iii. E-Tender documents should be made available only through the State Government e-tender portal, namely, <https://wbtenders.gov.in> free of cost.
 - iv. For works exceeding Rs.10 lakh or for purchasing plant, machinery, etc, of complex and technical nature, bids may be invited in two parts under two-bid system laid down in Rule 47C.
 - v. Selection of agency should be made on the basis of at least three tenders, which shall be opened in presence of willing agents. If the number of tenders received is less than three, tender should be invited afresh.
 - vi. In case of invitation of tender under two-bid system, if the number of tenderers/bidders qualified in the technical bid is less than three, tender should be invited afresh.
 - vii. The lowest tender for such works should be accepted as a rule. If for any reason, the lowest tender is not accepted, reference shall be made to Government for orders as to which of the contractors the work should be given.
 - viii. Tender notice shall always be given due publication through the leading dailies in English, Hindi and Bengali. Open tender for execution of works worth Rs. 1,00,000/- or more shall be invited in the following manner:

SI. No.	Item	Manner of Tender
i)	For execution of works with estimated value of or exceeding Rs. 1 lakh up to Rs.5 lakh.	Publication of the work on the notice board and on the website of the administrative department, if maintained and also brief referral advertisement in one daily Bengali newspaper [in case, of hill areas of Darjeeling District in Nepali newspaper].
ii)	For execution of works and services with estimated value exceeding Rs.5 lakh up to Rs.10 lakh.	Publication of the work on the notice board and on the website of the administrative department, if maintained and also brief referral advertisement in two daily newspapers, one in Bengali [in case of hill areas of Darjeeling District in Nepali newspaper] and the other in English
iii)	For execution of works and services with estimated value exceeding Rs.10 lakh.	Publication of the work on the notice board and on the website of the administrative department, if maintained, and also in the official website of Government of West Bengal, and also brief referral advertisement in three daily newspapers, one each in Bengali [in case of hill areas of Darjeeling District in Nepali newspaper], in English and in Hindi.
Explanation : Brief referral advertisement will contain only certain title information such as name and location of the scheme, last date for submission of Tender, names of the websites where details are available.		

ix. A minimum period, as stated below, shall be allowed for submission of the tenders from the final publication date.

SI. No.	Item	Minimum period for submission of tender from the last date of publication
a	For supply of articles or stores or for execution of works and services with estimated value not exceeding Rs.10 lakh.	7 days
b	For supply of articles or stores or for execution of works and services with estimated value exceeding Rs.10 lakh upto Rs.1 Crore.	14 days
c	For supply of articles or stores or for execution of works and services with estimated value exceeding Rs.1 Crore.	21 days

3. The following clause is inserted after clause (c) of Rule 177 of the said rules:-

“(d) In case of e-tendering, EMD/Bid security shall be collected as soft copy (scanned copies of the originals) for instruments (Cheques/bank Draft/bank Guarantee, etc.) and in case of deposit of money it should compulsorily be deposited on-line by the bidders. The LI bidder shall submit the hard copy of the documents to the tender inviting authority with his acceptance letter of the LOI.

Failure to submit the hard copy with the acceptance letter within the time period prescribed for the purpose, may be construed as an attempt to disturb the tendering process and dealt with accordingly legally including blacklisting of the bidder.”

By order of the Governor

Sd/-**H.K. Dwivedi**
Principal Secretary to the
Government of West Bengal

No. 2254/1(500)-F(Y)

Dated, 24th April, 2014

Copy forwarded for information and necessary action to-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit), West Bengal, C.G.O. Complex, V East Wing, 5th Floor, Salt Lake, Sector-I, Kolkata-700 064.
4. The Chief Secretary to the Government of West Bengal
5. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department, Govt. of West Bengal.
6. PA to the Principal Secretary, Finance Department, Government of West Bengal.
7. Financial Advisor Department, Govt. of West Bengal.
8. Secretary, Finance (Audit) Department, Government of West Bengal.
9. Secretary, Finance (Budget) Department, Government of West Bengal.
10. Special Secretary/Joint secretary, Finance Department, Government of West Bengal
11. The Principal Accounts Officer & Ex-Officio Joint Secretary, Finance (Budget) Department, for uploading this Notification in the Finance Department website.
12. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range (2nd& 3rd floor), Kolkata - 700 001.
13. The Commissioner,
14. The District Magistrate,
15. The Sub-Divisional Officer,
16. The Pay & Accounts Officer, Kolkata Pay & Accounts Office -I, 81/2/2, Phears Lane, Kolkata-700012.
17. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-1, Hyde Lane, Kolkata - 700 012.
18. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 1st Floor, Salt Lake, Sector-III, Kolkata -700 106.
19. The Treasury Officer,
20.



(G. Samanta)

Joint Secretary to the
Government of West Bengal

Government of West Bengal
Public Works Department
Accounts Branch

No. 137/1-A/PW/O/10C-02/14

Dated: 24.04.2014

NOTIFICATION

WHEREAS it is, in the wake of issuance of Memorandum No.: 1177-F(Y); Dated: 28.02.2014 read with Memorandum No.: 1592-F(Y); Dated: 20.03.2014 of the Finance (Audit Branch) Department, considered expedient so to do;

NOW, THEREFORE, the Governor is pleased hereby to make the following amendments in the Public Works Department Code, as subsequently amended (hereinafter referred to as the said Code):-

Amendments

1. In the said Code, in Volume -I,-

- (i) "Rule 215 shall be omitted."
- (ii) "Rule 216 (1) shall be omitted."
- (iii) "Rule 216 (2) shall be omitted."
- (iv) For rule 217 (1), substitute the following:-

"217 (1a) All works **of and above Rs. 5.00 Lac**, for which e-tendering is mandatory, shall be awarded through **open e-tender** without any reservation for any particular Class of Contractors."

"217 (1b) All other works valuing **less than Rs. 5.00 Lac** shall be awarded through **open tender**. The qualifying experience and other technical criteria required for such works shall be such as may be prescribed by the Department from time to time."

- (v) "Note below Rule 217(2) shall be omitted."
- (vi) "For Rule 218, substitute the following:-

"218 There shall, as a general rule, be no provision for splitting of any work.

However, a work may, with the previous approval of the Department, be split into smaller parts following the principles:-

1. The primary consideration governing splitting up shall be expedition in execution thereof consistent with economy and efficiency;
2. Splitting shall not be resorted to for the purpose of evading the financial powers of the officers calling for tenders; and
3. Care shall be taken to see that splitting up does not technically damage the structural soundness of the work as a whole and where such possibility exists, the work shall not be split up into smaller parts."

(vii) “Rule 219 shall be omitted.”

(viii) For rule 222 (1), substitute the following: -

“222 (1) Intending tenderers, shall not be charged for tender documents in respect of tender for any work of any value.

However, in respect of work valuing more than Rs. 50.00 Crore, the intending tenderers shall be charged such fees for tender documents as may be prescribed by the Department by notification from time to time.”

(ix) For rule 222 (2), substitute the following:-

“222 (2) The contractors may, where necessary, be charged for additional copies of drawings, specifications, schedules, etc at such fees as may be determined by the concerned Tender Inviting Authority.”

(x) For rule 226, substitute the following:-

“226 (1) Notices for **open e-tenders** for works each of and above Rs. 5.00 Lac shall, as a general rule, include the following clause:-

a. In respect of 1st Call of N.I.T.:-

The intending tenderers shall have to produce credentials of similar nature of work valuing minimum **40%** of the estimated amount put to tender.

b. In respect of 2nd Call of N.I.T.:-

The intending tenderers shall have to produce credentials of similar nature of work valuing minimum **30%** of the estimated amount put to tender.

c. In respect of 3rd call of N.I.T.

The intending tenderers shall have to produce credentials of similar nature of work valuing minimum **20%** of the estimated amount put to tender.”

“(2) Notices for **open tenders** for works each below Rs. 5.00 Lac shall include such clauses as may be prescribed by the Department by notification from time to time.”

(xi) For rule 229, substitute the following rule:-

“229 In every case of **open e-tender** or **open tender**, as the case may be, an **Earnest Money** amounting to 2% of the Estimated Value of the work put to tender shall be required to be deposited by every tenderer alongwith each tender. Such **Earnest Money** shall be deposited by the tenderers in such form and in such manner as may be prescribed by the Department by notification from time to time.”

(xii) “Rule 230 shall be omitted.”

(xiii) For rule 231, substitute the following rule:-

“231 (1) In every case of **open e-tender**, the **Earnest Money** of every technically disqualified tenderer as well as that of every technically qualified tenderer other than, **L₁ (i.e.1st Lowest Tenderer)** and **L₂ (i.e. 2nd Lowest Tenderer)** tenderers shall revert to his respective account without manual intervention following the same path through which such **Earnest Money** was electronically transferred from the tenderer’s bank account to the Pooling Account.”

“231 (2) The **Earnest Money** of **L₂** shall, after the **L₁** has accepted the **LOI (i.e. Letter of Intent)**, revert to his respective account without manual intervention following the same path through which such **Earnest Money** was electronically transferred from the tenderer’s bank account to the Pooling Account.”

“231 (3) The **Earnest Money** of **L₁** shall, after he has accepted the **LOI (i.e. Letter of Intent)**, automatically get transferred from the the Pooling Account to the State Government revenue deposit head.”

“231 (4) In every case of **open e-tender** or **open tender**, as the case may be, where **Earnest Money** is deposited in physical form, the **Earnest Money** of every technically disqualified tenderer as well as that of every technically qualified tenderer other than **L₁ (i.e. 1st Lowest Tenderer)** and **L₂ (i.e. 2nd Lowest Tenderer)** tenderers shall be refunded to him within **three (3) days** after the comparative statement has been prepared and approved.”

“231 (5) The **Earnest Money** of **L₂** shall be refunded to him within **three (3) days** after the **L₁** has accepted the **LOI (i.e. Letter of Intent)**.

“231 (6) The **Earnest Money** of **L₁** shall, after he has accepted the **LOI (i.e. Letter of Intent)**, be credited to the State Government revenue deposit head finally by the Tender Accepting Authority.”

(xiv) “Rule 232 shall be omitted.”

(xv) “Rule 233 shall be omitted.”

2. In the said Code, in Volume -II,:-

“Appendix 8 shall be omitted”

This bears the concurrence of Group-T of Finance (Audit) Department vide their U.O. No. 100 dated 24.04.2014.

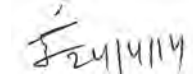
By order of the Governor,

Sd/- Indevar Pandey
Principal Secretary to the
Government of West Bengal

Memo No. 137/1-A/1(2)-PW/0/10C-02/14**Date 24.04.2014**

Copy forwarded for information and necessary action to:-

1. The Principal Secretary, Finance Department.
2. The Engineer-in-Chief & Ex-Officio Secretary, P.W. Department.



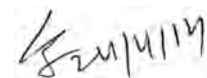
Joint Secretary,
Public Works Department

Memo No.137/DA/1(18)-PW/0/10C-02/14

Date 24.04.2014

Copy forwarded for information and necessary action to:-

1. The Accountant General (A &E), West Bengal, Government Place (west), Kolkata-1.
2. The Accountant General (Local Bodies Audit), West Bengal, C.G.O. Complex, 3rd MSO Building, Sector - I, Block - DF, 5th Floor, Bidhan Nagar, Kolkata-64.
3. The Chief Engineer, Head Quarter/North Zone/West Zone/South Zone, Public Works Directorate.
4. The Chief Engineer (Electrical)-I, Public Works Directorate
5. The Chief Engineer, Head Quarter/North Zone/West Zone/South Zone, Public Works (Roads) Directorate.
6. The Chief Engineer, National Highway, Public Works (Roads) Directorate.
7. The Chief Engineer, Planning, Public Works Directorate/Public Works (Roads) Directorate.
8. The Chief Engineer, Social Sector, Public Works Directorate.
9. The Chief Engineer, RBRI, Public Works (Roads) Directorate.
10. The Joint Secretary, Public Works Department.
11. The Joint Secretary Administration/Technical, Public Works (Roads) Department.
12. The Financial Advisor, Integrated Finance Branch, P.W.D.
13. The Technical Secretary, P.W.D.
14. The Finance (Audit) Department of this Government.
15. Accounts/CRC Branch, Public Works Department.
16. Accounts Branch, Public Works (Roads) Department.
17. The IT Cell, P.W.D.



Joint Secretary,
Public Works Department

**Government of West Bengal
Law & Arbitration Cell
Public Works Department**

No. 6754—PW/L&A/2M-312/2017

Dated:18.12.2017

NOTIFICATION

1. Rules 238 & 239 of PWD Code impose certain limitations on execution of extra/substituted items/deviation in quantity of any item of work. These are on following lines :
 - (i) An engineer officer of the Directorate is not empowered to accept / sanction supplementary work, even though it is within the financial power of the Engineer Officer for “Technical Sanction” and “Tender Acceptance”.
 - (ii) A supplementary tender is accepted only by the same Authority who accepts the original tender.
 - (iii) In case of increase in any tendered item beyond 10% of the tendered quantity; it must be referred to the Superintending Engineer in charge for sanction & allocation of such additional work to the working contractor.
2. At the same times, according to existing rule 239 of PWD Code an Engineer Officer of the Directorate may take up the work up to Administratively approved amount by executing excess/less quantities work, even though the tendered value of the work may be much less. There is no limitation on execution of such excess/less quantities of work and no reference to the Department is required to execute such excess/less works.
3. To expedite the implementation of the Public works and to ensure proper budgeting and expenditure control it has been considered necessary to amend the Rule 238 & 239 of the PWD code.
4. The Governor is hereby pleased to substitute the existing Rule 238 and 239.

The new rules are as follows:

Rule 238. Extra/Substituted Items

238.1 Definition :

- (a) Extra items of work are items that are completely new, and are in addition to the items contained in the contract.
- (b) Substituted items are items that are taken up in partial modification or in lieu of items of work in the contract.
- (c) One agreement item can be substituted by single item/multiple items.
- (d) Multiple agreement items can be substituted by single item/multiple items.

238.2 Nomenclature of item :

The specifications of the extra/substituted items sanctioned by the competent authorities should be properly formulated, so as to reflect the exact mode of execution in the field.

238.3 Prior sanction of competent authority necessary:

- (a) No extra/substituted item should be executed or approved without the prior concurrence of its necessity by the authority who accorded the technical sanction or Chief Engineer of construction wing or similar designated Engineer officer.
- (b) The powers for sanctioning the extra/substituted items are mentioned in **Appendix -1**
- (c) Assistant Engineer/Executive Engineer should anticipate any extra/substituted items that may be necessary for the execution of the work, and they shall initiate the case after obtaining prior concurrence as per sub - para (a) above for its approval from the competent authority. Such cases shall be expeditiously processed at all levels to minimise delay in the execution of the work.
- (d) Pendency of such items shall be closely monitored by Executive Engineer and higher level officers.

Rule 239. Sanction of deviations

Apart from obligation of sanctioning the deviations, a proper check is needed on deviation in quantities on higher/lower side for each and every item. In order to exercise proper check on deviations, following procedures shall be followed.

- (a) Deviation in quantities of individual item up to + 10% of agreement quantities will not need any prior approval of technical sanction authority and sanction of deviations is not required.
- (b) Deviation in quantities of individual item beyond the limit of + 10% but within deviation limit as specified in **Appendix - I** will not require prior approval of technical sanction authority but total deviation (including + 10%) shall be sanctioned by the officers as per delegation of powers.
- (c) In case of deviations occurring in the quantities of extra/substituted items/deviation in quantity of any item already sanctioned, then revised sanction should be taken from the officers who have the power to sanction it.
- (d) Total quantities of extra/substituted items/deviation in quantity of an item shall be sanctioned by the authority whosoever is competent to sanction up to his limit. Beyond that it will be referred to the next higher authority for sanction. Before sanctioning in the quantities of extra / substituted items/deviation in quantity of any item the officer/authority will include it earlier sanctioned quantities, if any.
- (e) If any tender quantity is not executed at all during the work, it would require Technical Sanction Authority or Chief Engineer of construction wing or similar designated Engineer officer's approval.
- (f) Minus deviation is to be sanctioned on the basis of agreement rate irrespective of deviation limit.

- (g) The amount of a deviation statement shall be the sum of absolute value of deviated amounts of all individual items.
- (h) One contract may execute extra item or items, substituted item or items, and deviation in quantity or quantities at a time or one or two of it. But total expenditure including extra item or items, substituted item or items, and deviation in quantity or quantities shall not exceed original contract amount (i.e. tendered amount) + 5% of contract amount or Administratively approved amount of the project whichever is less. If total expenditure including extra item or items, substituted item or items and deviation in quantity or quantities exceeds original contract amount (i.e. tendered amount) + 5% of contract amount or Administratively Approved amount, then concerned Directorate shall submit revised estimate to the Administrative Department for approval. The Administrative Department may approve the revised estimate within the power of Administrative Department as per codal provisions and Government orders in force after verifying the suitability of the revised estimate. Beyond the limit of Administrative Department the revised estimate may be sent to the Competent Authority / Department for approving it.
- (i) If the Administratively approved amount is Rs 10.00 crore or below, then sub - para (h) above will be read by 10% in place of 5%.

5. This issues with the concurrence of Group-T of Finance Department vide their U.O. No. Group T/2017-2018/0704 dated 24.11.2017.

This notification will take immediate effect.

By order of the Governor,

Sd/-

(Indevar Pandey)

Principal Secretary to the Government of West Bengal

Public Works Department

No.6754/1(14)-PW/L&A/2M-312/2017

Dated: 18.12.2017

Copy forwarded for information to:

1. The Accountant General (A & E), West Bengal, AP Section, Treasury Buildings, Kolkata - 1.
2. The Accountant General (Audit), West Bengal,
3. The Accountant General (RW/LBA), West Bengal, C.G.O.Complex, 3rd MSO Building, Sector - I, Block - DF, 5th Floor, Bidhannagar, Kolkata - 64.
4. The Principal Secretary, Finance Department.
5. The Principal Secretary, Public Works Department.
6. The Managing Director, West Bengal Highway Development Corporation, HRBC Bhaban, Munshi Premchand Sarani, Kolkata - 700021.
7. The Engineer-in-Chief & Ex-Officio Secretary, Public Works Department.
8. The Finance Department, Group - 'T'
9. The Finance Department. Group - 'N'

10. The Financial Adviser, Public Works Department.
11. The Joint Secretary, Project & Co-ordination/Works/Administration, Public Works Department.
12. The Technical Secretary, Public Works Department.



Joint Secretary (Roads),
Public Works Department
Government of West Bengal

No.6754/2(3)-PW/L&A/2M-312/2017

Dated: 18.12.2017

Copy forwarded for information to :-

1. The Principal Secretary to the Hon'ble Chief Minister, Government of West Bengal.
2. The Senior P.S. to the Hon'ble Minister - in - Charge, Public Works Department, Government of West Bengal.
3. The Senior P.S. to the Chief Secretary to the Government of West Bengal.



Joint Secretary (Roads),
Public Works Department
Government of West Bengal

No.6754/3(200)-PW/L&A/2M-312/2017

Dated: 18.12.2017

Copy forwarded for information and necessary action to :-

1. The Chief Engineer, (All), P.W. Directorate/P.W. (Roads) Directorate/Social Sector, P.W. Directorate/Electrical, P.W. Directorate.
2. The Superintending Engineer, (All), P.W. Directorate/P.W. (Roads) Directorate/Social Sector, P.W. Directorate/Electrical, P.W. Directorate.
3. The Chief General Manager, West Bengal Highway Development Corporation, HRBC Bhaban, Munshi Premchand Sarani, Kolkata - 700021.
4. The Executive Engineer, (All), P.W. Directorate/P.W. (Roads) Directorate/Social Sector, P.W. Directorate/Electrical, P.W. Directorate.
5. The Executive Engineer, Kolkata IT Division, P.W. Directorate. He is requested to upload the Circular in PWD website.



Joint Secretary (Roads),
Public Works Department
Government of West Bengal

APPENDIX - I of Notification No. 6754-PW/L&A/2M-312/2017 dated 18.12.2017

SI. No.	Nature of Power	Designation of Officer	Extent of Powers (in Rupees)	
1	Accord of sanction to extra/substituted items (a) For works within Powers to accord Technical Sanction under his own authority	Assistant Engineer/Similar designated Engineer Officer	30% of contract amount.	
		Executive Engineer/Similar designated Engineer Officer	30% of contract amount.	
		Superintending Engineer/Similar designated Engineer Officer	30% of contract amount.	
		Chief Engineer/Similar designated Engineer Officer	Full powers.	
	(b) For works within Powers of Technical Sanction of higher authorities.	Assistant Engineer/Similar designated Engineer Officer	15% of contract amount or 30% of power to accord technical sanction, whichever is lower.	
		Executive Engineer/Similar designated Engineer Officer	15% of contract amount or 30% of power to accord technical sanction, whichever is lower.	
		Superintending Engineer/Similar designated Engineer Officer	15% of contract amount or 50% of power to accord technical sanction, whichever is lower.	
		Chief Engineer/Similar designated Engineer Officer	Full powers.	
	2	Accord of sanction to deviation in quantities of agreement items (a) For works within Powers to accord Technical Sanction under his own authority	Assistant Engineer/Similar designated Engineer Officer	+ 10% of contract amount.
			Executive Engineer/Similar designated Engineer Officer	+ 15% of contract amount.
Superintending Engineer/Similar designated Engineer Officer			+ 30% of contract amount.	
Chief Engineer/Similar designated Engineer Officer			Full powers.	
(b) For works within Powers of Technical Sanction of higher authorities.		Assistant Engineer/Similar designated Engineer Officer	_ + 10% of contract amount or + 30% of power to accord technical sanction, whichever is lower.	
		Executive Engineer/Similar designated Engineer Officer	+ 15% of contract amount or + 30% of power to accord technical sanction, whichever is lower.	
		Superintending Engineer/Similar designated Engineer Officer	+ 20% of contract amount or + 50% of power to accord technical sanction, whichever is lower.	
		Chief Engineer/Similar designated Engineer Officer	Full powers.	

Note :

1. Deviation means increase or decrease in quantities of agreement items.
2. Deviation upto $\pm 10\%$ of agreement quantity will not require any sanction.
3. Items deviating beyond $+ 10\%$ of agreement quantity needs sanction for total deviation (including initial $\pm 10\%$)
4. The amount of a deviation statement shall be the sum of absolute value of deviated amounts of all individual items.
5. Sanction is required from the competent authority for non execution of any tendered item.
6. The financial powers at SI. No. 1 & 2 shall be limited to the extent that the total expenditure including substituted item or items, extra item or items and deviation in quantity or quantities shall not exceed original contract amount (i.e. tendered amount) + 5% of contract amount (i.e. tendered amount) or Administratively approved amount of the project whichever is less for the project cost is more than Rs. 10.00 crore and it is contract amount + 10% of contract amount or Administratively approved amount of the project whichever is less for the project cost is Rs. 10.00 crore or below.



Joint Secretary (Roads),
Public Works Department
Government of West Bengal

Technical Sanction and Tender Acceptance

**Government of West Bengal
Public Works Department
Works Branch
Writers' Buildings, Kolkata-700001**

No. 375-W(C) 1M-62/13

Date:23/04/12

MEMORANDUM

In terms of G.O. No. 3007-F(Y) dated 12.04.13 of Finance Department, Audit Branch, the existing provisions in sub-clause (ii) of clause (b) under Sub-rule (4) of rule 47D of West Bengal Financial Rules have been replaced with the following :-

“47D(4)(b)(ii) - All the projects with estimated cost of Rs. 5 crore and above meant for execution through Public Sector Units shall be vetted by the Chief Engineer of Public Works Department.”

2. It has been decided to constitute separate vetting cells for Civil and Electrical wings of the department.

Serial Number.	Cell for	Headed by	Contact Number
1.	Civil Works	Assistant Chief Engineer-II, Public Works Dte.,2nd floor Main Block, Writers' Buildings Kolkata-700001.	Office: 2214-3074 Mobile: 9433587127
2.	Electrical Works	Additional Chief Engineer,(Electrical)I,PWD,3rd Floor, Main Block, Writers' Buildings Kolkata- 700001.	Office: 2214-3461 Mobile: 9830133257

3. The respective Departments are requested to furnish the following documents along with detail estimate :-

For Civil Works:-

1. Copy of Architectural Plan duly approved by the Competent Authority
2. Copy of Structural drawing approved by Competent Authority
3. Rate analysis for Non Schedule items and supporting documents
4. Minimum 2(two) copies of estimate.

For Electrical Works:-

1. Minimum 2(two) Copies of Electrical Estimates along with electrical lay out plan of building and/or site.

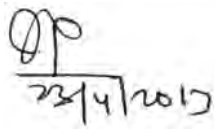
The procedure for vetting of estimates would be as follows:

- (i) For estimates involving only civil works, the file containing detailed estimate would be submitted to vetting cell of civil wing, which would take necessary action.

- (ii) For estimates involving only electrical works, the detailed estimate should be submitted to the vetting cell of the electrical wing
- (iii) For estimates involving both civil and electrical works, the papers for vetting would be submitted to the civil wing first, which after vetting the civil portion would pass on the file/complete set of papers to electrical wing for vetting. The finally vetted estimate would be collected by the department/office concerned from the electrical wing.

The time limit for vetting by a single wing (civil/electrical) would be 4 working days. For estimates involving both works, the estimate would be vetted in 7 working days.

All departments are requested to take necessary action as per procedure as prescribed above.


Principal Secretary

Memo No. 375/1(10) -W(C) 1M-62/13

Date: 23/04/2013

Copy forwarded for information and necessary action to the :

- (i) Principal Secretary, Finance Department, to the Govt. of West Bengal
- (ii) Additional Chief Secretary/Principal Secretary/Secretary, Department to the Govt. of West Bengal
- (iii) Commisioner, Division..
- (iv) District Magistrate,
- (v) Chief Engineer
- (vi) Assistant Chief Engineer-II, PWD
- (vii) Additional Chief Engineer, (Electrical)-I PWD
- (viii) OSD to The Hon'ble M.I.C., PWD
- (ix) Sr. Pr. S. to The Chief Secretary to the Govt. Of West Bengal
- (x) Sr. Pr. S. to the Principal Secretary, PWD


Joint Secretary

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

No.6427-F(Y).

Kolkata, the 25th July, 2012

MEMORANDUM

In continuation of this Department Memorandum No. 5458-F(Y) dated 27th June, 2012 following points may be clarified:

1. Maximum 3% on the “Tender Value” shall be allowed as Contingency to determine the “Estimated Cost”.
2. Authority to accept the tender where the value/rate quoted by the Bidder [L1] is above the “Tender Value” [i.e. amount put to tender]:
 - (i) Maximum 5 % excess of “Tender Value” may be accepted by the Tender Inviting Authority subject to the overall power of tender acceptance delegated to each level of engineer officers as mentioned in this Department’s Memo No, 5458-F(Y) dated 27th June 2012.
 - (ii) Above 5 % and upto 10 % excess of “Tender Value” can be accepted by the Government appointed Tender Committee subject to the condition as laid down in the said Memo.
 - (iii) For acceptance of tender above 10% of the “Tender Value”, the Administrative Department along with the specific recommendation of the Government appointed Tender Committee as mentioned at para (ii) above, shall send the proposal to the Finance Department.
3. In case of Plan Fund, where the “Administrative Approval” on the “Estimated Cost” has been obtained from the concerned Group of the Finance Department, the revised Administrative Approval on the enhanced Estimated Cost, if any, shall be obtained from the same authority.

Sd/- H. K. Dwivedi.

Secretary to the
Government of West Bengal.

No.6427/1(100)-F(Y).

Kolkata, the 25th July, 2012.

Copy forwarded for information and necessary action to:-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit), West Bengal, C.G.O. Complex, ‘C’ East Wing, 5th Floor, Salt Lake, Sector-I, Kolkata-700 064.

4. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department.
5. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4,
Lyons Range, Kolkata - 700 001.
6. The Commissioner,
7. The District Magistrate,
8. The Sub-Divisional Officer,
9. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - I, 81/2/2, Phears Lane,
Kolkata - 700 012.
10. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-1, Hyde Lane,
Kolkata - 700 012.
11. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 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) Depart-
ment, for uploading this Notification in the Finance Department website.

(Swapn Kumar Paul)



Finance Department

**Government of West Bengal
Finance Department
Audit Branch
Writers' Buildings**

No. 5458-F(Y).

Dated, Kolkata, the 27th June. 2012

MEMORANDUM

Works Executing Departments have been approaching Finance Department for some time past to make amendment in the financial power of the Engineers for "Technical sanction" and "Tender acceptance", considering the rising price index. After careful consideration of the matter the Governor is pleased to make the following amendments in the Delegation of Powers of the Engineering officers of various Works Executing Departments. The Works Executing Departments shall incorporate the following amendments in their respective Departmental Code/Manual/Order.

Designation	Tender acceptance	Technical sanction	Remarks
Chief Engineer- (i) With approval of Government appointed tender committee (ii) Under his own power	(i) full power** (ii) Rs. 4 crore ***	(ii) Full power	(i) ** the tender committee will recommend to Government to accord sanction to acceptance of the tender. (ii) ***provided the project has received the administrative approval, or the revised administrative approval of the competent authority, as and when required under the prescribed rules.
Superintending Engineer	Rs. 2 crore : 5% excess of tender value**	Rs. 2 crore	** provided sanctioned estimate and budgetary provision is not exceeded because of the excess and the lowest tender is accepted.
Executive Engineer	Rs. 45 lakh + 5% excess of tender value**	Rs. 45 lakh	** provided sanctioned estimate and budgetary provision is not exceeded because of the excess and the lowest tender is accepted.
Assistant Engineer	Rs. 3 lakh + 5% excess of tender value**	Rs. 3 lakh*** provided sanctioned estimate and budgetary provision is not exceeded; because of the excess and the lowest tender is accepted, * With concurrence of Executive Engineer	

Note: Acceptance of Tender at justified rates [Estimated Cost prepared by the Works Executing Departments] with allowable variances: Variation upto 5% over the justified rates may be ignored. Variation up to 10% may be allowed for peculiar situations and in special circumstances with the approval of the Government appointed Tender Committee, provided budgetary provision is not exceeded because of the excess and the lowest tender is accepted. Reasons for doing so shall be placed on record. Tenders above this limit should not be accepted.

Sd./- H. K. Dwivedi
Secretary to the
Government of West Bengal

No. 5458/1(100)-F(Y).**Kolkata, the 27 th June, 2012.**

Copy forwarded for information and necessary action to:-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit), West Bengal, C.G.O. Complex, VC' East Wing, 5th Floor, Salt Lake, Sector-I, Kolkata-700 064.
4. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department.
5. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata - 700 001.
6. The Commissioner,
7. The District Magistrate,
8. The Sub-Divisional Officer,
9. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - I, 81/2/2, Phears Lane, Kolkata - 700 012.
10. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-1, Hyde Lane, Kolkata - 700 012.
11. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 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.



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

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

No. 3007-F(Y)

Kolkata, the 12th April, 2013

MEMORANDUM

The undersigned is directed by order of the Governor to make the following amendment in rule 47(D) inserted in West Bengal Financial Rules vide Finance Department Notification No.5400-F(Y) dated 25.06.2012.

The existing provisions in sub-clause(ii) of clause (b) under Sub-rule (4) of rule 47D may be replaced with the following :-

“47D(4)(b)(ii) - All the projects with estimated cost of Rs.5 crore and above meant for execution through Public Sector Units shall be vetted by the Chief Engineer of Public Works Department.”

2. The relevant provisions in para-7 of Finance Department Memo. No. 1240-F(Y), dt. 18.02.2013 also stand modified by this amendment.

Necessary amendment in West Bengal Financial Rules will be made in due course.

Sd/- H.K. Dwivedi
Principal Secretary to the
Government of West Bengal

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

No.3212-F(Y)

Dated, Kolkata the 22nd April, 2013

MEMORANDUM

Sub : Clarification regarding rule 47D of West Bengal Financial Rules, Vol.-I

The undersigned is directed to issue the following clarifications regarding engagement of 'Agency' under rule 47D of West Bengal Financial Rules, Vol.-I, inserted by Finance Department's Notification No 5400-F(Y), dated 25.06.2012 as amended vide Memorandum No.8183-F(Y), dated 26.09.2012 and No.3007-F(Y), dated 12.04.2013.

1. Rule 47D of West Bengal Financial Rules, Vol.-I, inserted under Notification No.5400-F(Y), dated 25.06.2012, is meant for works execution by Non-Works Departments.
2. These Non Works Departments having no engineering infrastructure of their own may have to get the works executed through any PSU, Autonomous Body, etc., enumerated in Annexure 'C' and 'D' of Notification No. 5400-F(Y), dated 25.06.2012, read with Memo. No. 8183-F(Y), dated 26.09.2012, as envisaged in rule 47D of W.B.F.R., Vol.-I.
3. The estimates to be prepared by the agency, in such cases, need to be approved by the Government. The Non-Works Government Department employing the agency being handicapped due to absence of any technical expertise may get the estimates vetted by the Chief Engineer of Public Works Department, as mentioned in Memorandum No. 3007-F(Y), dated 12.04.2013.
4. Memo. No.3007-F(Y), dated 12.04.2013 is not applicable to autonomous bodies, Development authorities and the Non-Works Departments that have their own engineering infrastructure/ Technical expertise for works execution.

Sd/- H. K. Dwivedi
Principal Secretary to the
Government of West Bengal

Works Accounts

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

No. 3962-F

Kolkata, the 29th May, 2006

MEMORANDUM

**Sub : Procedure of dealing with and Accounting for Government Revenue and
Deposit Receipts in Divisional Accounts of Works.**

Issuance of a clear-cut guideline on the mode of dealing with and accounting for the dues recovered on account of government revenue and deposit from the gross amount of works and work-charged establishment bills has been under consideration of the Government for some time past since it has come to the notice of the Government that in many cases, moneys being recovered by deduction from such bills on account of revenues and deposit receipts are not being deposited to the treasury for incorporation in the Government accounts by the Divisional Offices maintaining works system of accounts. This has caused loss of revenue of the Government on the one hand and contributed to the minus balance in the Group Insurance and Savings Scheme account maintained in the treasury on the other. Now the Government has decided to lay down a suitable procedure to be followed by the Divisional Engineers and the Divisional Accountants/Divisional Accounts Officers in order to prevent recurrence of such undesirable situations.

I am, accordingly, directed by order of the Governor to prescribe the following procedural guideline for the Works and Forest Divisions:-

The Divisional Officer shall -

1. draw LOC cheque(s) for the net amount of the bill(s) required for disbursement;
2. draw LOC cheque(s) in favour of the Government of West Bengal for the money recovered by deduction from the bill(s) on account of the State Government revenue and GISS subscription and remit the cheque(s) with two copies of challans/schedules prescribed for the remittance for each of revenue/ deposit receipts head of account to which the recoveries are to be deposited and accounted for in the treasuries;
3. draw LOC cheque(s) in favour of the authority of the Central Government for the central revenue recovered by deduction from the bill(s) and remit the cheque(s) with the required number of challans to the bank in the form prescribed for the purpose by the Central Government;
4. book expenditure for the works and work-charged establishment in the works accounts under the functional head of account complete upto the detailed head for the gross amount which is equal to the amount of all the LOC cheques drawn against the bill(s) and the amount of internal transfer of the division;
5. effect recoveries and their remittance under the appropriate head of account and book the transactions in the various registers and schedules as prescribed by the Government in CPWA code and the State Government Rules.

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

No. 110-F.B.

Dated Kolkata, the 26th April, 2013

NOTIFICATION

Sub: Introduction of New Letter of Credit System

For some time past the Government in Finance Department was considering improving the present system of issuing and monitoring the 'Letter of Credit' (LOC) by different Works and Forest Departments of the State Government with a view to establishing accountability, transparency and uniformity in the system in a centralised manner.

Existing LOC System

In the existing system, 'LOC Cheque Drawing Officers' in the Works and Forest Divisions send proposal for issuing LOC (Project wise) to 'LOC Issuing Authorities' directly or through their immediate higher authority for execution of works in respect of (i) Projects/Plan related works (ii) (a) Maintenance Works, (b) expenses for 'Work-Charged Establishment' and (iii) 'Deposit Works' in the following manner:

- (i) Project/Plan related works : The proposal is submitted with administrative approval and financial sanction of the competent authority;
- (ii) (a) Maintenance Works: Administrative approval and financial sanction need not accompany LOC proposal;
- (b) Works-Charged Establishment: Administrative approval and financial sanction need not accompany LOC proposal;
- (iii) Deposit Works: Copy of receipted Treasury Challan for deposit of fund for 'Deposit Works' under major head **'8782'**

Finance Department issues LOC authorisation (Project wise) on request from LOC Issuing Authorities.

'LOC Issuing Authorities' issue LOC (Project wise), within the ceiling authorised by Finance Department, to the concerned Works/Forest Divisional officers declared as 'LOC Cheques Drawing Officers' by their respective Administrative Departments with the approval of Accountant General (A&E), West Bengal.

The 'LOC Cheques Drawing Officers' send monthly accounts to the Accountant General (A&E), West Bengal and LOC utilisation reports to 'LOC Issuing Authorities'.

It may be noted that as per rule 4.150(3) of WBTR, 2005, appropriation under the departmental establishment head meant for execution of departmental works of any department through works divisions should be placed at the disposal of the authority of the works department for execution of the work within the authorised LOC limit.

New LOC System:

Under the guidance of Finance Department the National Informatics Centre [NIC] has developed a new system for on-line authorisation and issue of LOC to make transfer of fund faster for timely execution of the developmental works in a transparent manner. It will also facilitate proper monitoring of the progress of implementation of the project. For this purpose Finance Department in its website [www.wbfin.nic.in] has made necessary link 'LOC Monitoring System' [LOCMS] from the financial year 2013-14. All the LOC related works would be processed and monitored through this system.

After careful consideration of the matter, the Governor has been pleased to prescribe the following procedures in this respect.

1. Role of the Finance Department : Finance Department shall authorise on-line the LOC Issuing Authorities through 'LOCMS' from time to time for issuing LOC to their authorised 'LOC Cheque Drawing Officers' within the limit of authorisation for (i) execution of Project related works and (ii) (a) Maintenance Works (b) Work-Charged Establishment separately.

2. Role of the LOC issuing authority:

- (i) **For project related Works:** Based on the proposal received from the Divisional Officers of Works/Forest Divisions, the LOC Issuing Authorities shall issue LOC on-line through 'LOCMS' to the concerned 'LOC Cheque Drawing Officers' on specific approved project according to head of account and the budget provision of that head. The LOC may be for a part or whole of the amount of financial sanction subject to overall authorisation of the finance department in this respect.
- (ii) **For Maintenance Works:** Based on the proposal received from the 'LOC Cheque Drawing Officers', the LOC Issuing Authorities shall issue LOC on-line through 'LOCMS' to the concerned 'LOC Cheque Drawing Officer' for (a) Maintenance Works (b) Work-Charged Establishment for requisite amount, subject to overall authorisation of the Finance Department as well as budget provision under the head in this respect.

3. Role of the 'LOC Cheque Drawing Officers' :

- (i) **For Project related Works:** 'LOC Cheque Drawing Officers' shall upload the proposal request on-line through 'LOCMS' for issuing the LOC by filling up the required data in the prescribed format. They may also upload the scanned copy of relevant supporting document.
- (ii) For Maintenance Works: 'LOC Cheque Drawing Officers' shall fill up the prescribed format for (a) Maintenance Works (b) Work-Charged Establishment.
- (iii) Uploading the data in respect of utilisation of LOC Fund: 'LOC Cheque Drawing Officers' shall upload the data of the utilised LOC amount cheque number-wise in the 'LOCMS' against each LOC and each head of account in respect of (a) Project related Works, (b) Maintenance Works, (c) Work- Charged Establishment and (d) Deposit Works.

- (iv) Remittance and recording of 'Deduction at Source': All deductions from the 'Work-Charged' Bills, Contractors Bills and other Bills such as, Income Tax, Sales Tax, VAT, P. Tax, GPF, G.I., Security/Earnest Money Deposit etc., shall be remitted/deposited to the appropriate head of account by issuing LOC Cheque along with Treasury Challan (T.R. Form No. 7) to the concerned Treasury-linked Bank.

Procedure for 'Deposit Works'

- (a) 'LOC Cheque Drawing Officers' shall deposit the cheque/bank draft in respect of 'Deposit Works' to the concerned Treasury-lined Bank in Treasury Challan (T.R. Form No. 7) under the head of account mentioned below. On application from the Depositor along with copy of receipted Challan, the concerned Treasury officer/Pay and Accounts Officer shall issue the 'Credit Verification Certificate' in respect of that deposit within five working days. The 'Credit Verification Certificate' issued by the Treasury/Pay and Accounts Office shall contain receipt head of account, Challan no. Challan date and amount in respect of that deposit. The receipt head of account for the purpose would be (i) "8782-00-102-001-20" for Works Division and (ii) "8782-00-103-001-20" for Forest Division.
- (b) The 'LOC Cheque Drawing Officers' shall fill up the prescribed format on-line through 'LOCMS'. He may upload the scanned copy of the receipted Challan of deposit of demand draft or cheque along with the 'Credit Verification Certificate' received from the Treasury/Pay and Accounts office on-line through LOCMS.
- (c) The Administrative Department of the concerned 'LOC Issuing Authority' shall verify the admissibility of the Deposit Works and the correctness of the deposit amount before authorising the 'LOC Issuing Authority' to issue LOC for that Deposit Work. The 'LOC Issuing Authority' shall issue the LOC to the concerned 'LOC Cheque Drawing Officers' upto the amount deposited without any authorisation from Finance Department.
- (d) Receipt of fund for Deposit Works shall be debited in the books of accounts of the Works/Forest Division when remitted to Treasury under head "8782- 00-102-001-20" for Works Division and "8782-00-103-001-20" for Forest Division and credited to head '8443-00-108-001-07' for Works Division [8443-00-108-002-07' for NHA] and '8443-00-109-001-07' for Forest Division. Payment made by LOC cheque shall be credited to head '8782-00- 102-002-20' for Works Division and '8782-00-103-002-20' for Forest Division and debited to head '8443-00-108-001-23'for Works Division ['8443-00-108- 002-23' for NHA] and '8443-00-109-001-23' for Forest Division respectively.

The existing LOC System and this New LOC System will run simultaneously for three months from 1st April 2013 to 30th June 2013 and thereafter from 1st July 2013 the existing LOC system will be discontinued.

Sd/- H. K. Dwivedi.
Principal Secretary to the
Government of West Bengal
Finance Department.

No. 110/1 (250) -F.B.

Dated Kolkata, the 26th April, 2013

Copy forwarded for information and necessary action to:-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit), West Bengal, C.G.O. Complex, 'C East Wing, 5th Floor, Salt Lake, Sector-I, Kolkata-700 064.
4. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department.
5. The General Manager, Reserve Bank of India, Banking Department, 15, N.S. Road, Kolkata-700 001.
6. The Principal Conservator of Forest,
7. The Chief Engineer,
8. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata - 700 001.
9. The State Information Officer, National Informatics Centre, Bidyut Bhaban, Ground Floor, D.J. Block, Sector-II, Salt Lake, Kolkata-700 091
10. The Director, Directorate.
11. The Commissioner,
12. The District Magistrate,
13. The Sub-Divisional Officer,
14. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - I, 81/2/2, Phears Lane, Kolkata - 700 012.
15. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-I, Hyde Lane, Kolkata - 700 012.
16. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 1st Floor, Salt Lake, Sector -III, Kolkata - 700 106.
17. The Treasury Officer,
18. The Principal Accounts Officer & Ex-Officio Joint Secretary, Finance (Budget) Department, for uploading this Notification in the Finance Department website:



(A.R. Chakraborty)
Secretary to the
Government of West Bengal
Finance Department

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

No.1679—F(Y)

Dated, 24th March, 2014

MEMORANDUM

It has come to the notice of State Government that the deductions made from different types of Bills for different purposes are not properly deposited/booked under appropriate heads of accounts by some of the Cheque Drawing Officers /DDOs of Works and Forest Departments, although procedural guidelines in respect of deposit of the fund recovered from the contractor's bills were issued vide FD memo. no. 3962-F dated 29.05.2006. The detailed heads of accounts for deposit of the fund recovered for various purposes including Government revenue were not mentioned in the FD memo. no. 3962-F dated 29.05.2006. In order to remove any difficulty in following the procedure prescribed in the FD memo no., referred to above, the State Government feels it necessary to specify the heads of accounts for deposit of the recovered fund.

Now, therefore, it is clarified that the fund recovered by deduction from the contractor's bills shall be deposited under the following Receipt heads of Accounts / in the following manner, by the Cheque Drawing Officers/public works disbursers by drawing separate LOC cheque and challan for each category of receipt mentioned against each head of account below:

Sl. No.	Category of Receipt	Head of Account
1	Professional Taxes	0028-00-107-001-03.
2	Group Insurance (1987):	8011-00-107-004-19. (Insurance fund) 8011-00-107-005-19. (Savings fund)
3	Provident Fund -Group-D	8009-01-101-002-19.
4	Sales Tax (TDS)	0040-00-102-005-35.
5	Security Deposit	8443-00-103-001-07.
6	Income Tax (TDS)	Shall be deposited to the designated bank branches as authorised by the Income Tax Authority through their specified Challan No./ITNS 281 (form enclosed). Only in case of transfer-credit the head of account '8658-00-112-001-20' shall be used.
7	Service Tax	Shall be deposited directly to the appropriate authority of the Government of India
8	Labour Cess	Shall be deposited directly to the appropriate authority of the State Government
9	Other deductions like fine/penalties/forfeitures etc.	'0070-01-102-003-06' or in the appropriate departmental receipt head.

This Order issues in continuation of this Department Memo. No. 3962-F dated 29.05.2006.

Sd/- H. K. Dwivedi
Principal Secretary to the
Government of West Bengal.

No.1679/1(500) —F(Y)

Dated, 24th March, 2014

Copy forwarded for information and necessary action to:-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. The Accountant General (R.W. & L.B. Audit), West Bengal, C.G.O. Complex, 'C East Wing, 5th Floor, Salt Lake, Sector-I, Kolkata-700 064.
4. The Chief Secretary to the Government of West Bengal.
5. The Additional Chief Secretary/Principal Secretary/Secretary,
..... Department.
6. Sr. PA to the Principal Secretary, Finance Department, Government.
7. The Principal Accounts Officer & Ex-Officio Joint Secretary, Finance (Budget) Department, for uploading this order in the Finance Department website.
8. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range, Kolkata -700 001.
9. Directorate.
10. The Commissioner,
11. The District Magistrate,
12. The Sub-Divisional Officer,
13. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - I, 81/2/2, Phears Lane, Kolkata - 700 012.
14. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - II, P-1, Hyde Lane, Kolkata - 700 012.
15. The Pay & Accounts Officer, Kolkata Pay & Accounts Office - III, IB Market, 1st Floor, Salt Lake, Sector-III, Kolkata -700 106.
16. The Treasury Officer,
17.



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

<p>* Important: Please see notes overleaf before filling up the Challan</p>												<p>T.D.S./TCS TAX CHALLAN</p>												<p>Single Copy (to be sent to the ZAO)</p>											
<p>CHALLAN NO./ ITNS 281</p>				<p>Tax Applicable(Tick One)* TAX DEDUCTED/COLLECTED AT SOURCE FROM</p>								<p>Assessment Year</p>																							
				<p>(0020) Company <input type="checkbox"/></p>				<p>(0021) Non-Company <input type="checkbox"/></p>				<p>-</p>																							
				<p>Deductees</p>				<p>Deductees</p>																											
<p>Tax Deduction Account No.(T.A.N.)</p>																																			
<p>Full Name</p>																																			
<p>Complete Address with City & State</p>																																			
<p>Tel. No.</p>												<p>Pin</p>																							
<p>Type of Payment</p>												<p>Code*</p>																							
<p>(Tick One)</p>												<p>(Please see overleaf)</p>																							
<p>TDS/TCS Payable by Taxpayer</p>												<p>(200)</p>																							
<p>TDS/TCS Regular Assessment (Raised by I.T. Deptt.)</p>												<p>(400)</p>																							
<p>DETAILS OF PAYMENTS</p>												<p>Amount (in Rs. Only)</p>																							
<p>Income Tax</p>																																			
<p>Fee under sec. 234E</p>																																			
<p>Surcharge</p>																																			
<p>Education Cess</p>																																			
<p>Interest</p>																																			
<p>Penalty</p>																																			
<p>Total</p>																																			
<p>Total (in words)</p>																																			
<p>CRORES</p>			<p>LACS</p>			<p>THOUSANDS</p>			<p>HUNDREDS</p>			<p>TENS</p>			<p>UNITS</p>																				
<p>Paid in Cash/Debit to A/c/Cheque No.</p>												<p>Dated</p>																							
<p>Drawn on</p>												<p>(Name of the Bank and Branch)</p>																							
<p>Date:</p>												<p>Signature of person making payment</p>																							
<p>Taxpayers Counterfoil (To be filled by the taxpayer)</p>												<p>Rs.</p>																							
<p>TAN</p>												<p>SPACE FOR BANK SEAL</p>																							
<p>Received From</p>																																			
<p>(Name)</p>																																			
<p>Cash/Debit to A/c/Cheque No.</p>												<p>For Rs.</p>																							
<p>Rs. (in words)</p>																																			
<p>drawn on</p>																																			
<p>(Name of the Bank and Branch)</p>																																			
<p>Company/Non-Company Deductees</p>																																			
<p>on account of Tax Deducted at Source(TDS)/Tax Collected at Source(TCS)</p>																																			
<p>from (Fill up Code)</p>																																			
<p>(Strike out whichever is not applicable)</p>																																			
<p>For the Assessment Year</p>												<p>Rs.</p>																							

***NOTES**

1. Please note that quoting false TAN may attract a penalty of Rs. 10,000/- as per section 272BB of I.T. Act 1961.
2. Use a Separate Challan for each Nature (Type) of Payment. The relevant codes are:

Section	Nature of Payment	Code
192	Payment to Govt Employees other than Union Government Employees	9 2 A
192	Payment of Employees other than Govt. Employee	9 2 B
193	Interest on Securities	1 9 3
194	Dividend	1 9 4
194A	Interest other than interest on securities	9 4 A
194B	Winnings from lotteries and crossword puzzles	9 4 B
194BB	Winnings from horse race	4 B B
194C	Payment of contractors and sub-contractors	9 4 C
194D	Insurance Commission	9 4 D
194E	Payments to non-resident Sportsmen/Sport Associations	9 4 E
194EE	Payments in respect of Deposits under National Savings Schemes	4 E E
194F	Payments on account of Re-purchase, of Units by Mutual Funds or UTI	9 4 F
194G	Commission, prize etc., on sale of Lottery tickets	9 4 G
194H	Commission or Brokerage	9 4 H
194I	Rent	9 4 I
194J	Fees for Professional or Technical Services	9 4 J
194K	Income payable to a resident assessee in respect of Units of a specified Mutual Fund or of the units of the UTI	9 4 K
194LA	Payment of Compensation on acquisition of certain immovable property	4 L A
194LB	Income by way of Interest from Infrastructure Debt fund	4 L B
194LC	Income by way of interest from Indian company engaged in certain business.	4 L C
195	Other sums payable to a non-resident	1 9 5
196A	Income in respect of units of Non-Residents	9 6 A
196B	Payments in respect of Units to an Offshore Fund	9 6 B
196C	Income from foreign Currency Bonds or shares of Indian Company payable to Non-Resident	9 6 C
196D	Income of foreign institutional investors from securities	9 6 D
206C	Collection at source from Alcoholic Liquor for Human Consumption	6 C A
206C	Collection at source from timber obtained under Forest Lease	6 C B
206C	Collection at source from Timber obtained by any Mode other than a Forest Lease	6 C C
206C	Collection at source from any other Forest Produce (not being Tendu Leaves)	6 C D
206C	Collection at source from Scrap	6 C E
206C	Collection at source from contractors or licensee or lease relating to Parking lots	6 C F
206C	Collection at source from contractors or licensee or lease relating to toll plaza	6 C G
206C	Collection at source from contractors or licensee or lease relating to mine or quarry	6 C H
206C	Collection at source from tendu leaves	6 C I
206C	Collection at source from on sale of certain Minerals	6 C J
206C	Collection at source on cash case of Bullion and Jewellery	6 C K

Other Important Orders

Government of West Bengal
Finance Department (PPP Cell)
Nabanna, Howrah

No. 3738-F(Y)

Date: 11.06.2018

NOTIFICATION

Subject: Panel of Transaction Advisers for PPP and other Projects

The validity of Panel of Transaction Advisers (TAs) which was formed vide Notification no. FS- 116 (PPP Cell)/2012 dated 10.09.2012 has since expired and thereafter proposals of different Departments for engagement of Transaction Advisers are being considered on case-to-case basis. The State Government has been contemplating to create a fresh Panel of TAs. With this objective, an RFP was floated by the Finance Department to obtain bids in an open and competitive manner for empanelment of TAs.

2. Now, the Governor is pleased to notify a fresh Panel of TAs to eliminate inordinate delays in engaging Transactions Advisers/Consultants. Accordingly, Finance Department has prepared a Panel of pre-qualified Transaction Advisers for different fields which have been categorized in several sectors as under:

SI. No.	Sector	Area	Panel
1	Physical and Social Infrastructure	It includes Roads and Bridges, Housing and Township, Tourism and Hospitality, Marketing, Commercial Infrastructure, Inland Container depots, Hospitals, Education, Transportation, Environment and Ecology	A
2	Urban (Municipal) Infrastructure	It includes Water Supply, Treatment and Distribution, Drainage and Sewerage, Solid Waste Management, Mono-rail, etc.	B
3	Industrial and related Infrastructure	It includes Area development and Industrial Park Development	C
4	Power and Telecommunication Infrastructure	It includes Power and Telecommunication infrastructure including Natural Gas	D
5	Information Technology & Infrastructure and e-Governance	It includes the projects related to Information Technology and e-Governance initiatives	E
6	General Category	It includes all unidentified sectors and miscellaneous advisory services viz. corporate restructuring/viability studies, due diligence, fund syndication, etc.	F

3. The list of the firms which have qualified as per criteria specified in the Request for Proposal (RFP) for such exercise is enclosed herewith in Annexure-I.
4. All the Administrative Departments, Local Bodies and other State Government organizations may access the Panel for the purpose of procuring the services of the TAs.
5. The Panel shall remain valid for a period of 3 (three) years from the date of issue of this Notification. Finance Department may, however, remove any empanelled TA from the Panel if the concerned TA fails to provide required service in a professional manner. The Finance Department also reserves the right to add new TAs meeting necessary qualification criteria, if required and decided by the State Government.

6. Determination of Panels:

6.1 TAs on the Panel have been selected on the basis of their abilities to provide transaction services for the Sectors as broadly categorized in para-2. The Procuring Authority, therefore, shall select a suitable TA for the project closely related to the applicable Sector.

7. Conflict of Interest:

7.1 The selected TA shall confirm that it has no conflict of interest in undertaking the assignment. A conflict of interest shall arise if the Panel member, or its associate or affiliate company, is advising potential bidders for the concerned Project(s), or if the Panel member or its associate or affiliate company is considering a debt or equity involvement in the project or is required to rate the proposed project. It is, therefore, recommended that the Authority appointing the TAs should ensure that such a conflict of interest does not exist or arise.

8. Dispute Resolution Committee:

8.1 Any dispute, controversy arising out of engagement of Transaction Adviser will be settled by a Three Member Committee comprising the Departmental Financial Adviser, one member not below the rank of Joint Secretary of the concerned Administrative Department under the chairmanship of the Addl. Chief Secretary/ Principal Secretary/ Secretary in charge of the Administrative Department.

9. Seeking a proposal and financial quote from the selected TAs:

9.1 Having identified the Sector for the project, the Procuring Authority should select the TA through Limited Tender Enquiry from all empanelled TAs on the Panel of the specific Sector.

9.2 Since the empanelled TAs have already pre-qualified as capable of providing Transaction Advisory Services, further technical evaluation is not required. Procuring Authority may appoint the TAs based on the lowest financial quotes at least from three participating empanelled TAs on the applicable sectoral Panel. However, in case of less than 3 bids in the 1st call, retender is to be invited. In case of 2nd call, a minimum of 2 bids will be required to select the TA for the project of the specific Sector.

9.3 Any Department may select Transaction Adviser through open tender if they consider that the Panel is not suitable for the intended project.

9.4 The Procuring Authority shall prepare specific Terms of Reference (ToR) for the assignment to be undertaken by the TA. It should also provide background of the project, how it is currently being managed, and the role of other Advisers where relevant.

9.5 The Scope of Work/ToR of the TA need not be referred to the Finance Department for vetting/concurrence.

10. Signing of Contract with the successful Panel member:

10.1 Procuring Authorities using the Panel should note that they will be the party for contracting with the empanelled Transaction Advisers. Finance Department has established the Panel but will not be involved in any contracts between Procuring Authorities and TAs.

10.2 After selection of the TA, Procuring Authorities must send a Letter of Intent (LOI) to the selected TA together with an Agreement/Contract form which is to be executed after acceptance of the LOI.

10.3 The Procuring Authority should ensure that a full and comprehensive briefing is provided to the TA, to assist an early and effective start of the assignment.

11. Use of Panel for Projects not covered in the defined Sectors:

11.1 In case any Administrative Department requires Transaction Advisory Services for assignments not covered within the Sectors of the Panel, they may prefer such proposals after due diligence to the Finance Department for concurrence.

12. Reporting performance to the Finance Department:

12.1 All Administrative Departments engaging TAs from the Panel shall submit feedback on the performance of the engaged TA on an annual basis to the Finance Department for further evaluation of the quality and effectiveness of the empanelled TAs.

By Order of the Governor



(H. K. Dwivedi)

Additional Chief Secretary to the
Government of West Bengal

Enclosure to No. 3738 -F(Y)

Date: 11.06.2018

Annexure-I List of Panel of Transaction Advisers

SI. No.	PANEL A: Physical & Social Infrastructure	PANEL B: Urban (Municipal) Infrastructure	PANEL C: Industrial & Related Infrastructure	PANEL D: Power & Telecommunication Infrastructure	PANEL E: Information Technology & Infrastructure and e-Governance	PANEL F: General Category
1	JLL	Ernst & Young	PwC	PwC	PwC	PwC
2	PwC	KPMG	KPMG	SBI Capital Ltd.	Ernst & Young	Ernst & Young
3	CRISIL	CRISIL	Ernst & Young	Ernst & Young	KPMG	JLL
4	Ernst & Young	PwC	CRISIL	CRISIL		CRISIL
5	Deloitte		JLL			SBI Capital Ltd.
6	KPMG					KPMG

Details of Transaction Advisers

Sl. No.	Name of the Transaction Adviser	Address	Contact Nos.& e-mail	Contact person
1	CRISIL Risk & Infrastructure Solutions Limited (CRISIL)	CRISIL House, Central Avenue Road, Opposite D'Mart, Hiranandani Business Park, Powai, Mumbai - 400076	M- 9830335137, e-mail: j agannarayan.padmanabhan@crisil.com	Mr. Suvajit Dey
2	Deloitte Touche Tohmatsu India LLP (DELIOTTE)	13th& 14th Floor, Building-Omega, Bengal IntelligentPark, Block-EP & GP, Sector-V, Salt Lake Electronics Complex. Kolkata-700091	M- 9873588906 e-mail: pranavantp@deloitte.com	Mr. Pranavant
3	Ernst & Young, LLP	3rd& 4th Floor Worldmark-1, IGI Airport Hospitality District, Aerocity, New Delhi-110037	M-9811280735 e-mail: abhaya.agarwal@in.ey.com, ankur.kathuria@in.ey.com	Mr. Ankur Kathuria
4	Jones Lang La Salle (JLL)	No. 2 Dr Martin Luther King Sarani (Formally Upper Wood Street), Kolkata 700016	M- 9830070624 / 983643377 e-mail: saugata.maitra@ap.ill.com	Mr. Saugata Maitra
5	KPMG Advisory Services Private Limited	Godrej Waterside, Unit#603 & 604, 6th Floor, Tower 1, Sector-V, Salt Lake City, Kolkata -700091	M +91 99030 43317 e-mail: sumouleendra@kpm2.com	Mr. Sumouleendra Ghosh
6	PricewaterhouseCoopers (PwC) Private Limited	Plot No D.N 56-57, Sector-V, Salt Lake, Kolkata -700091	Direct: (033)4404 4288 M-98301 10790 e-mail: vogesh.daruka@pwc.com	Mr. Yogesh Daruka
7	SBI Capital Markets Ltd.	Sixth Floor, World Trade Tower, Barakhamba Lane, New Delhi-110001	M-8447498894, e-mail: supriyo.gupta@sbicaps.com	Mr. Supriyo Gupta

Government of West Bengal
Land and Land Reforms Department
Land Policy Branch
Writers' Buildings, Kolkata-700001

No. 6686-LP/1A-18/2012**Date: 26/12/2012**

Whereas the State Government, its parastatals (Corporations, Development Authorities), and urban local bodies etc. have been allotting and pricing land/ other assets in line with various Departmental and other norms which often vary in their content and their applicability;

2. And whereas there is need to introduce uniformity, reduce discretion and avoid case by case decision-making to ensure transparency while dealing with public assets;
3. Now, the Governor, after careful consideration of the matter, is pleased hereby to make the following Land Allotment Policy which will be applicable to land owned or held by any Department of the State Government or agency funded by the State Government in any manner:-
 - (i) The land allotted to any individual/ company/ institution etc. under the policy would be transferred to them by the Government and its parastatals by way of long term lease for a period not exceeding 99 years, with the option of renewal of such lease for the like period on the same terms and conditions and to such other terms and conditions as may be imposed and included in such renewal lease deed.
 - (ii) (a) The lessee under any lease granted by the State Government or its parastatals can mortgage the leasehold interest only (and not the demised land itself) on the demised land, whether in full or in part, only with the prior written permission of the lessor.
 (b) The lessee is not entitled to assign his leasehold interest, whether in full or in part, without prior written approval of the lessor and assignee shall hold the same on the same terms and conditions as in the original lease and to such other terms and conditions as may be considered to be imposed by the lessor while granting such approval. In case of such assignment of leasehold interest the assignee concerned shall have to obtain fresh lease after expiry of the unexpired period of the lease on payment of such consideration money and annual rent based on the prevailing market value as may then be fixed by the lessor in granting such lease.
 - (iii) The Land and Land Reforms Department is the nodal Department for inter-departmental transfer of land and Long Term Lease (LTS) of Vested/ Khas /Government land. An inter-departmental Committee under the Chief Secretary would handle all cases of inter departmental land transfers. The valuation for LTS would be based on the sale deeds of the area or the market price as determined by the Inspector General of Registration, West Bengal, whichever is higher. Land meant for commercial use shall invariably be auctioned to the highest bidder for which adequate publicity should be given including through the internet. Commercial use will mean use for office, shops, shopping malls, housing not meant for the EWS, LIG or the poor, cineplexes, theme parks, hospitals, educational institutions etc, and would include all other activities except those activities for which a different mode of disposal is prescribed.
 - (iv) Reserve Price should not be fixed by the Government before the bidders submit their financial bids, so that there is no chance of the bidders knowing the Reserve Price fixed by the Government. The Government, while fixing the Reserve Price, should not have knowledge of the price bids submitted so that the fixing of the Reserve Price is not influenced by such knowledge. The Advisors do not finalize Reserve Price, as a conflict of interest may arise with them trying to keep them a low Reserve Price. The bidders are provided full comfort that their bids, once submitted, can in no way be tampered with by any agency.

- (v) For construction of housing for the poor, EWS and LIG through developers, it would be permissible not to go in for the auction route, keeping in view of the paramount public interest. Instead, development offers on pre-announced criteria can be invited through a two-stage bidding process. The policy for the allotment of the dwelling units after construction also should be rational, objective and transparent and stated clearly in the brochures/ advertisements.
- (vi) For projects leading to industrial development, the highest price need not be the main criteria nor should auction be the only mode of allotment. The department or the entity shall prepare and publish a list of its land assets. It may also indicate the kind of industrial development it is seeking (big, medium, small, micro, non- polluting, knowledge based, etc.) along with the tentative price which may be determined on the basis of acquisition price, cost of capital, development charges and premium as applicable. This information should be freely available in the public domain for at least a month before offers are received/ invited. The offers should be evaluated on pre-specified and pre-announced criteria e.g. specified purpose, employment potential, likely tax- revenue, development of backward regions, economic development of disadvantaged communities, lower pollution levels, standard norms for land requirements for specific type of industries, and the past record of the investors. Evaluation should be done by a Transaction Advisor, to be selected from the empanelled list of Transaction Advisors drawn up by the Finance Department through a transparent and competitive process and notified vide No. FS-1169PPP Cell)/2012 dated 10.09.2012.
- (vii) Project proposals for private educational institutions and medical facilities will be deemed to be commercial ventures, except where such projects are to be set up by public charitable trusts with no profit motives, and in existence for at least five years in the respective field, after inviting offers in a transparent manner. Trusts promoting such institutions have to be well-known for their services at the national or international level. The cases of allotment to charitable and reputed institutions fulfilling the above conditions should be referred to the Standing Committee of the Cabinet on Industry, Infrastructure and Employment for a final decision.
- (viii) For the projects in the power generation sector, the auction route is not recommended given the possible impact on tariffs and questions of larger public interest. The department holding the land, in consultation with the Power & NES Department, would notify sites suitable for power generation projects, which will remain open and in the public domain for at least one month before offers are invited. Thereafter, the offers will be evaluated in consultation with Power & NES Department, based on clear-cut pre-announced criteria beneficial to the economy and well-being of the state such as lower tariffs, redressal of the thermal-hydro imbalance, green power and renewable obligations and offered in terms of the existing policy and legal framework for such power generation projects.
- (ix) All land allotment decisions should be taken by the Board(s) of the entities. In case land is owned departmentally, MIC's order will be inevitably required followed by a Cabinet decision. Under no circumstances should land allotment decision be taken without placing the matter to the full Board with adequate notice/as may be required under the relevant statutes / rules and without recording detailed minutes,
- (x) Upon the completion of the formalities and selection of the allottee, a provisional Letter of Intent (LOI) should be issued. Each Department should frame its own LOI in consultation with the Law Department and strictly based on this policy with a specific time frame which shall in no case exceed three (3) years from the date of handing over the possession of the land.

- (xi) The provisional LOI should also specify the statutory clearances / licences I permissions that the allottee would be required to obtain within a definite time frame. This will include clearances from the West Bengal Pollution Control Board & / or the Ministry of Environment & Forests, fuel linkages, water availability, clearance and licences from the West Bengal Electricity Regulatory Commission, the Medical / Dental / Nursing Council, the AICTE, the UGC, Municipality, Urban Planning etc., as may be required only for that specific purpose.
- (xii) The provisional LOI should be so drafted, as to enable the allottee to seek financial closure as well as obtain the relevant statutory clearances, in a definite time frame. In case the statutory clearances and or the financial closure are not forthcoming within the specified period, the provisional LOI shall be cancelled after following procedure laid down in the terms and conditions of the allotment.
- (xiii) The allottee will have to commit that post-allotment, any changes in the ownership structure of the allottee, would be indicated upfront to the lessor. In case the lessor is of the opinion that such changes would be detrimental to public interest, such as higher power tariffs, reductions in the housing entitlements for the original target group (e.g. EWS / Poor / LIG), lower tax revenues, lower employment, etc., the lessor may cancel the allotment after following the usual formalities.
- (xiv) In the event of special circumstances, the Government may, with the intention to protect and promote specific types of activities, or, to promote any emerging area of development activities, or, to reduce imbalances in any backward region, or, any strategic reason especially beneficial to the State, may with the approval of the State Cabinet, relax any or some of the above mentioned criteria. The sponsoring departments will be required to prepare Cabinet proposals indicating the full extent of relief with justification.
- (xv) Notwithstanding (xiv) above, all decisions related to land allotment etc. should be proactively disclosed u/s 4, of the RTI Act.
4. The Departmental Secretaries may ensure strict compliance with the aforesaid policy-guidelines in the most transparent manner.

Principal Secretary to the
Government of West Bengal

No.6686/1 (87)-LP

Date: 26/12/2012

Copy forwarded for information and necessary action to the:

1. Additional Chief Secretary/ Pr. Secretary/ Secretary to the Government of West Bengal
.....Department.

With the request to circulate this policy-guidelines to its parastatals (Corporations, Development Authorities), and urban local bodies etc., if any.

2. Commissioner, Division.
3. Director of Land Records & Surveys, West Bengal.
4. District Magistrate & Collector,
5. O.S.D. to Chief Secretary to the Government of West Bengal

Additional Secretary to the
Government of West Bengal

Government Of West Bengal
Finance Department
325, Sarat Chatterjee Road
Nabanna, Howrah 711 102

No. 1899-F(Y)

Dated 24th March, 2018

MEMORANDUM

The matter of ascertaining the market price maintained by the office of the Inspector General of Registration (IGR) has been reviewed.

It has now been decided that request for valuation/market price of land should be sent directly to the IGR or his subordinate offices. However, in case of special nature of projects, like township, industrial parks, entertainment parks, PPP projects, etc. involving larger chunk of land, the requisition should be sent directly to the IGR. The requisition for assessment of market price which is sent to IGR/ or subordinate offices of IGR should invariably be in the Proforma of the IGR (available in the website - wbreistration.gov.in)

The IGR has been directed that, on receipt of the requisition by his office either directly or at his sub-ordinate offices, the market price should be communicated to the respective Requisitioning Authority within 7 days of the receipt of the requisition.

However, the sub-ordinate offices of the IGR have been directed that, before communicating the valuation/market price of land to the Requisitioning Authority, the same may be approved/ vetted by the IGR in order to avoid any error in the assessment of the market price.

sd/-

(H.K. Dwivedi, IAS)

Additional Chief Secretary to the
Government of West Bengal

No. 1899/1(500)-F(Y)

Dated 24th March, 2018

Copy forwarded for information and necessary action to:

1. The Addl. Chief Secretary /Principal Secretary/Secretary, Department (All)
2. The Commissioner, Division (All)
3. The Inspector General of Registration & Commissioner of Stamp Revenue, West Bengal
4. The District Magistrate, District (All)
5. The Superintendent of Police (All).
6. Shri Sumit Mitra, Network Administrator, Finance Department for uploading this Memorandum in the website of Finance Department.



(H.K. Dwivedi, IAS)

Additional Chief Secretary to the
Government of West Bengal

Government of West Bengal
Department of Urban Development & Municipal Affairs
(Municipal Affairs Branch)
Nagarayan, DF-8
Sector-I Salt Lake, Kolkata-700 064

No. 908/MA/C- 10/3C-1/2017

Kolkata, the 20th day of July, 2018

NOTIFICATION

WHEREAS, constitution of a single Departmental Tender Committee has been under active consideration of this Department to take care of all the State sponsored Development Schemes/CSS Schemes already taken up or to be taken up by both Urban Development and Municipal Affairs Branch after merger of Urban Development Department and Municipal Affairs Department in terms of Home Department Notification No. 1006-Home (Cons)/R2R(Cons)- 08/2016 dated 19.12.2016;

AND WHEREAS, the State Level Technical Committee (SLTC) of AMRUT and State Level Appraisal Committee (SLAC) of 'Housing For AIT' already constituted by this Department have been functioning as usual under these centrally sponsored programmes as per the programme Guidelines;

NOW, THEREFORE, for smooth and effective implementation of all the State sponsored Development Schemes being implemented by the Urban Local Bodies, State Urban Development Agency (SUDA) and/or Development Authorities in addition to the remaining centrally sponsored programmes like, MNB/SBM, JNNURM, NULM, NUHM, Abattoir etc., beyond Rs.4.00 crore, the undersigned is hereby directed by order of the Governor to constitute a single Departmental Tender Committee/Technical Committee which will also act as the Departmental Tender Committee/Technical Committee in terms of the Finance (Audit) Department Memo. No. 925 F(Y) dated 14.02.2017, with the following members :

1. Principal Secretary, Urban Development & Municipal Affairs Department,
Government of West Bengal ... Chairman
2. Chief Executive Officer, Kolkata Metropolitan Development Authority/
Chief Executive Officer of respective Development Authority ... Member(s)
3. Director, State Urban Development Agency ... Member-Chairman
4. Financial Advisor, Urban Development & Municipal Affairs Department,
Government of West Bengal ... Member
5. Special Secretary/Joint Secretary/Mission Director/Addl. Mission Director/
Joint Mission Director of this Department supervising the relevant Centrally
Sponsored/State Sponsored Development Scheme of this Department and
respective Budget wings ... Member(s)

6. Secretary, Municipal Engineering Directorate, Government of West Bengal ... Member
7. Chief/Superintending/Executive Engineer supervising the relevant Centrally Sponsored/State Sponsored Development Scheme of this Department ... Member(s)
8. Director of Finance, Kolkata Metropolitan Development Authority ... Member
9. Financial Advisor, State Urban Development Agency ... Member
10. Technical Advisor, State Urban Development Agency ... Member
11. Technology Up-gradation Officer, State Urban Development Agency ... Member

This is also to clarify that the Technical committee of State Urban Development Agency (SUDA) which has been entrusted to function as Departmental Tender Committee/Technical Committee vide this Department Order No 701/MA/C-10/3C-1/2017 dated 25.07.2017 will no longer function as the Departmental Tender Committee/Technical Committee for any purpose, and instead the newly constituted Departmental Tender Committee/Technical Committee as delineated above will henceforth function for the aforesaid purposes.

By order of the Governor,

Sd/-

Joint Secretary

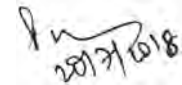
to the Government of West Bengal

No. 908/1(50)/MA/C-10/3C-1/2017

Kolkata, the 20th day of July, 2018

Copy forwarded for information and necessary action to:

1. Finance Department (Gr. 'N' /Gr. 'R')
2. Chief Executive Officer, Kolkata Metropolitan Development Authority
3. Chief Executive Officer, Development Authority
4. Director, State Urban Development Agency
5. Financial Advisor of this Department
6. Secretary, Municipal Engineering Directorate
7. Chief Engineer, Municipal Engineering Directorate
8. State Mission Director, AMRUT/HFA
9. State Mission Director,
10. Director of Finance, Kolkata Metropolitan Development Authority
11. Financial Advisor, State Urban Development Agency
12. OSD to Hon'ble MIC of this Department
13. Technical Advisor, State Urban Development Agency
14. Technology Upgradation Officer, State Urban Development Agency
15. Sr. PA to the Principal Secretary of this Department
16. PA to the Special Secretary (Shri U. N. Sarkar) of this Department
17. PA to the Special Secretary (Smt. S. Ghosh) of this Department
18. PA to the Joint Secretary (Shri S. Mukherjee) of this Department
19. PA to the Joint Secretary (Smt. S. Bagchi) of this Department
20. PA to the Joint Secretary (Shri S. Chaki) of this Department
21. PA to the Joint Secretary (Smt. P. Ghosh Roy Chowdhury) of this Department
22. PA to the Joint Secretary (Shri S. Bhattacharya) of this Department.


Joint Secretary

to the Government of West Bengal

Government of West Bengal
Department of Urban Development and Municipal Affairs (Municipal Affairs Branch)
NAGARAYAN, 6th Floor, DF - 8, Sector - I, Salt Lake, Kolkata - 700064

No. 158/MA/N/Estt. (MED)/2E-10/2017


Dated, 7th June, 2018

MEMORANDUM

In partial modification of the memorandum No. 114/MA/N/Estt. (MED)/2E-10/2017 dated 6th June, 2017 of UD&MA Department, Municipal Affairs Branch, the Governor has been pleased to delegate the technical sanction and tender acceptance powers to the Engineering Officers under Municipal Engineering Directorate (MED), West Bengal in the following manner:

SI. No	Designation	Tender Acceptance	Technical Sanction	Remarks
1	Secretary: U (i) With the approval of State Level Technical Committee (SLTC) constituted by Department (ii) Under his own power	(i) Project cost beyond Rs. 4crore.* (ii) Rs. 4crore.**	(i) Full power (ii) Full power	(i)* the SLTC will recommend to Deptt. to accord sanction to acceptance of the tender. (ii) **provided that the project received administrative approval, or revised administrative approval of the competent authority, as and when required under prescribed rules.
2	Chief Engineer: (i) With the approval of State Level Technical Committee (SLTC) constituted by Department (ii) Under his own power	(i) Project cost beyond Rs. 4crore.* (ii) Rs. 4crore.**	(i) Full power (ii) Full power	(i)* the SLTC will recommend to Deptt. to accord sanction to acceptance of the tender. (ii) **provided that the project received administrative approval, or revised administrative approval of the competent authority, as and when required under prescribed rules.
3	Superintending Engineer	Rs. 2 crore**	Rs. 2 crore	**provided sanctioned estimate and budgetary provision is not exceeded because of the excess and the lowest tender is accepted.
4	Executive Engineer	Rs. 45 lakh**	Rs. 45 lakh	
5	Assistant Engineer	Rs. 3 lakh**	Rs. 3 lakh*	*with the concurrence of Executive Engineer

- # *Provided that the person posted as Secretary, MED is an Engineering Officer not below the rank of Chief Engineer.*
- This has been issued with the approval of competent authority of UD & MA Department and in concurrence with Finance Department vide their UO No. Group-T/2018-2019/0054 dated 24/04/2018 and UO No. Group- R/2018-2019/0011 dated 24/04/2018 read with UO No. Group-R/2017-2018/0048 dated 01/06/2017.
 - This Order will take immediate effect.
 - All concerned are being informed accordingly.


 By order of the Governor
 Joint Secretary to the
 Government of West Bengal

No. 158/MA/N/Estt. (MED)/2E-10/2017**Dated, 7th June, 2018**

Copy forwarded for information and necessary action to the:

1. Principal Accountant General (A&E)/(G&SSA), West Bengal, Treasury Buildings,
2, Govt. Place (West), Kolkata - 700001.
2. Secretary and Engineer-in-Chief, Municipal Engineering Directorate.
3. Chief Engineer, Municipal Engineering Directorate.
4. Additional Chief Engineer, South/North .
5. District Magistrate, District.
6. Financial Advisor, MA Branch, UD & MA Department.
7. Mayor/ Chairman/ Chairperson,Municipal Corporation/ Municipality/ NAA.
8. O.S.D. to Hon'ble Minister-in-Charge, UD & MA Department.
9. Sr. PA to Secretary, UD & MA Department.



Joint Secretary



**Government of West Bengal
Urban Development & Municipal Affairs Department
'Nagarayan', DF-8,
Salt Lake, Sector-I Kolkata- 700 064**

No. 1667/T&CP/3C-01/2018

Dated- 23.07.2018

ORDER

It has been decided by this Department that all ULBs/Development Authorities/Parastatals must fix a Board at the sites of each of the schemes executed by them stating the name of the scheme, total Project Cost, date of completion in accordance of the enclosed format.

ULBs/Development Authorities/Parastatals should place vetted plans and estimates of schemes to the department on priority basis. Allotment should be made as per sector-wise priority. They are requested to mention their priority of schemes within each sector during submission of the schemes. The priority of the Sectors are :-

1. Water supply
2. Roads
3. Lighting of the streets
4. Sewerage and Drainage
5. Protection, Restoration and Beautification of water bodies.
6. Creation and Beautification of green space.
7. Development of burial/cremation ground.

Any proposal of release of fund pertaining to other sectors like construction or development of Auditorium, construction of Swimming pool etc. may be moved only after consultation with the Minister-in-charge. All such schemes sent earlier, but for which Administrative Approval has not been issued yet, would be kept on hold.

Enclosure:- As stated

Principal Secretary

Urban Development & Municipal Affairs Department
Government of West Bengal

**SPONSORED BY
GOVERNMENT OF WEST BENGAL
DEPARTMENT OF URBAN DEVELOPMENT &
MUNICIPAL AFFAIRS DEPARTMENT**

NAME OF THE DEVELOPMENT AUTHORITY/
CORPORATION/MUNICIPALITY :

DATE OF COMMENCEMENT :

DATE OF COMPLETION :

COST OF WORK SANCTIONED :

DATE OF INAUGURATION :

No.005/CRD/012
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block 'A',
GPO Complex, INA,
New Delhi- 110 023
Dated the 3rd March, 2007

Circular No. 4/3/07

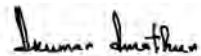
Sub:- Tendering process - negotiations with L-1

Reference is invited to the Commission's circulars of even number, dated **25.10.2005** and **3.10.2006**, on the above cited subject. In supersession of the instructions contained therein, the following consolidated instructions are issued with immediate effect:-

- (i) As post tender negotiations could often be a source of corruption, it is directed that there should be no post-tender negotiations with L-1, except in certain exceptional situations. Such exceptional situations would include, procurement of proprietary items, items with limited sources of supply and items where there is suspicion of a cartel formation. The justification and details of such negotiations should be duly recorded and documented without any loss of time.
- (ii) In cases where a decision is taken to go for re-tendering due to the unreasonableness of the quoted rates, but the requirements are urgent and a re-tender for the entire requirement would delay the availability of the item, thus jeopardizing the essential operations, maintenance and safety, negotiations would be permitted with L-1 bidder(s) for the supply of a bare minimum quantity. The balance quantity should, however, be procured expeditiously through a re-tender, following the normal tendering process.
- (iii) Negotiations should not be allowed to be misused as a tool for bargaining with L-1 with dubious intentions or lead to delays in decision-making. Convincing reasons must be recorded by the authority recommending negotiations. Competent authority should exercise due diligence while accepting a tender or ordering negotiations or calling for a re-tender and a definite timeframe should be indicated so that the time taken for according requisite approvals for the entire process of award of tenders does not exceed one month from the date of submission of recommendations. In cases where the proposal is to be approved at higher levels, a maximum of 15 days should be assigned for clearance at each level. In no case should the overall timeframe exceed the validity period of the tender and it should be ensured that tenders are invariably finalised within their validity period.
- (iv) As regards the splitting of quantities, some organisations have expressed apprehension that pre-disclosing the distribution of quantities in the bid document may not be feasible, as the

capacity of the L-1 firm may not be known in advance. It may be stated that if, after due processing, it is discovered that the quantity to be ordered is far more than what L-1 alone is capable of supplying and there was no prior decision to split the quantities, then the quantity being finally ordered should be distributed among the other bidders in a manner that is fair, transparent and equitable. It is essentially in cases where the organisations decide in advance to have more than one source of supply (due to critical or vital nature of the item) that the Commission insists on pre-disclosing the ratio of splitting the supply in the tender itself. This must be followed scrupulously.

- (v) Counter-offers to L-1, in order to arrive at an acceptable price, shall amount to negotiations. However, any counter-offer thereafter to L-2, L-3, etc., (at the rates accepted by L-1) in case of splitting of quantities, as pre-disclosed in the tender, shall not be deemed to be a negotiation.
2. It is reiterated that in case L-1 backs-out, there should be a re-tender.
3. These instructions issue with the approval of the Commission and may please be noted for immediate compliance.



(Vineet Mathur)
Deputy Secretary

All Chief Vigilance Officers

Government of West Bengal
Finance Department
Audit Branch

No. 3876-F(Y)

Dated 14th June, 2018

MEMORANDUM

**Sub: Procurement of Goods and Services through Government e-Marketplace
(GeM)**

Consequent upon abolition of DGS&D System, Government e-Marketplace (GeM) has been introduced by the Central Government which largely conforms to the transparent-Procurement System.

2. Now, the Governor is pleased to accord in-principle approval to procure goods and services on board GeM for voluntary purchase by Administrative Departments/Government Offices/ Public Sector Undertakings/Statutory Bodies/Local Bodies, etc. under the administrative control of the State Government.
3. In order to procure goods and services through GeM, Buyer Registration is required by the respective organization on the GeM Portal (<https://gem.gov.in>). The guidelines for Buyer Registration are available on the Portal and may be followed for creation of Primary and Secondary User IDs.
 - a) **Primary User:** Primary User shall be responsible for registering the organization on GeM, for creating Secondary Users, assigning them roles and responsibilities on GeM and for supervision of all transactions performed by Secondary Users under him/her. Any individual entity who has been assigned the duty of Primary User can never function as Secondary User unless he/ she relinquish his / her charge as Primary user
 - b) **Secondary Users:** Secondary Users are officials responsible for doing certain procurement transactions on GeM including Placement of Contracts, Receipt of Stores and Payment to the Sellers, etc. The secondary User with assigned role of making payment (D.D.O) to the sellers shall be separate entity from the entity who has been assigned the role of buyer or consignee.
4. **Procurement by Government/ Semi-Government/ Government Aided Offices through GeM depending upon estimated value is allowable in the following manner:**
 - a) Up to Rs, 10,000/- through any of the available suppliers on the GeM, meeting the requisite quality, specification and delivery period provided the procuring authority is satisfied about the reasonability of the rate.
 - b) Above Rs. 10,000/- and up to Rs. 1 lakh through the GeM, Seller having lowest price amongst at least three available sellers meeting the requisite quality, specification and delivery period. The tools for online bidding and online reverse auction available on GeM can be used by the buyer if decided by the competent authority.
 - c) Above Rs. 1 lakh through the supplier having lowest price meeting the requisite quality, specification and delivery period after mandatorily obtaining bids, using online bidding or reverse auction tool provided on GeM.
 - d) The invitation for the online e-bidding/reverse auction will be available to all the existing Sellers or other Sellers registered on the portal and who have offered their goods/ services under the particular product/service category, as per terms and conditions of GeM.

5. **The interim payment procedure for procurement through GeM till integration of GeM with IPMS is as follows:**
- a) The DDO will submit bill to concerned Treasury within 2 days of generation of Consignee's Receipt and Acceptance Certificate (CRAC) with copy of the printout(s) of the invoice for the GeM purchase along with bank details of the concerned supplier(s).
 - b) The bill will be processed in the concerned Treasury on priority basis and after passing of the bill the proceeds would be credited to the bank account of the supplier.
 - c) The DDO will obtain the UTR (Unique Transaction Reference) against the payment made from the DDO Interface of IFMS and update the same in the GeM Portal to complete the process.
6. The total time limit for payment to the vendor being 10 days from the generation of CRAC. Procuring offices should scrupulously follow the time line for submission of bills in the Treasury and Treasury Officers should make payments within 2 days of receipts of bills from the DDO provided all other provisions like allotment, DFPR, etc. have been properly followed by the concerned Procuring Authority. The Director of Treasuries and Accounts, West Bengal will issue separate instruction to the Treasuries accordingly.
7. Necessary amendments in the West Bengal Financial Rules shall be made in due course.



(H.K. Dwivedi)
Additional Chief Secretary to the
Government of West Bengal

No. 3876/1 (500)-F(Y)

Dated 14th June, 2018

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata - 700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata - 700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex,
3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary / Principal Secretary / Secretary,.....
Department. **He is requested to circulate the same to all Autonomous and Statutory
Bodies/ Local Bodies/PSUs/Parastatals, etc under his administrative control.**
5. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary,
Finance Department.
6. Financial Advisor, Department.
7. Commissioner, Division,
8. Director,
9. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd
Floor, Kolkata-700001.
10. District Magistrate / District Judge / Commissioner of Police / Superintendent of
Police
11. Sub-Divisional Officer,
12. Block Development Officer,
13. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I,
81/2/2, Phears Lane, Kolkata -700012.
14. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II,
P-1, Hyde Lane, Kolkata - 700073.
15. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III,
IB Market, 1st Floor, Block IB, Sector III, Salt Lake, Kolkata - 700106.
16. Treasury Officer,.....
17. Group/..... Branch, Finance Department.
18. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to
upload copy of this order in the website of Finance Department.

Assistant Secretary to the
Government of West Bengal

Government of West Bengal
Finance Department, Audit Branch
Nabanna, Howrah

No. 4949-F(Y)

Dated 3rd August, 2018

MEMORANDUM

**Sub : Guidelines for creation of Organisational Hierarchy and
 Selection of Primary/Secondary Users in GeM**

The State Government has introduced voluntary procurement of goods and services through Government e-Marketplace (GeM) vide Finance Department Memo No. 3876-F(Y) dated 14.06.2018. Further GeM has introduced the feature of Dashboard Analytics Reports for monitoring various procurement parameters in GeM by different State Government Departments. For precise data collation in Analytics Reports, the mapping of Organizational Hierarchies in Departments and registration of intending buyers appropriately as Primary and Secondary Users in the respective Organizations is a key prerequisite.

2. For this purpose, in continuation of FD Memo No. 3876-F(Y) dated 14.06.2018, the following guidelines are hereby prescribed in order to maintain uniformity in the creation of Organizational Hierarchies and assignment of roles of Primary and Secondary Users in GeM in respect of the State Government Offices, State PSUs, Local Bodies, Statutory and Autonomous Organization, Aided Institutions, Parastatals. etc. under the administrative control of Government of West Bengal.

3. Creation of Organizational Hierarchy in GeM:

- i) First, on the Buyer Registration Page, the 'Organization Type' is to be selected from the dropdown list on GeM as follows:
 - a. State Government (in case the Organization is a State Government Office of any State Government Department)
 - b. State Autonomous (in case of Organizations like Calcutta High Court, PSC, WBSEC, KMDA. SJDA, Universities, Aided Colleges. Aided Schools, etc.)
 - c. State PSU (in case of Organizations like WBHIDCO. CSTC, WBTIDCL, WBMSCL. Wbfdcl, etc.)
 - d. State Local Body (in case of Organizations like Zilla Parishads, Municipalities and Municipal Corporations, etc.)
- ii) Second, after selecting the 'State', the name of the controlling 'Department' of the Government of West Bengal is to be selected from the dropdown list.
- iii) Third, the Buyer who is registering, needs to choose his/her 'Organization' from the dropdown list. In case the name of the applicant Organization is not available in the dropdown list, the hyperlink "[Request For New Organization](#)" may be clicked. Thereafter, on the fresh Registration Page, after completing the steps (i) and (ii) above, option 'Others' in the 'Organization' dropdown list may be selected and the name of the Organization may be entered in the empty field that appears for this purpose. After completing comments and providing the applicant's NIC Email ID, the online request for creating a new 'Organization' in GeM may be submitted. The applicant shall be intimated over email once the new 'Organization' has been created in GeM.

4. **Assignment of role of Primary User and Secondary Users and creating Divisions under Organizations in GeM:**

- i) Each Organization will have only one 'Primary User'. The functions of a Primary User have been mentioned in brief in YD Memo No. 3876-F(Y) dated 14.06.2018. All offices registered as separate Organizations in GeM will have a Primary User each. Organizations should not be created below District level.
- ii) For State Government Offices, the Primary User should be a Group-A Officer of the State Government:
 - a. In case of the Departments/Directorates/Commissionerates, the Primary User should at least be in the rank of Deputy Secretary/Deputy Director/Deputy Commissioner respectively.
 - b. In case of Regional and District level State Government Offices, the Primary User should at least be a District Level Group-A Officer.
 - c. In case of State PSUs, Local Bodies, Autonomous and Statutory Organizations, Grant-in-Aid Institutions, the role of Primary User may be a Group-A Officer on deputation in the organization, say CEO/EO, or a Group-A Officer of the appropriate State/Regional District level Office of the Administrative Department which controls that Organization.
- i) For procurement of goods and services, 'Divisions' need be created in an 'Organization' in GeM by its Primary User, and in each Division, he/she further needs to create 'Secondary Users' with different assigned roles - Buyer, Consignee, and DDO (Paying Authority). Therefore, in order to make procurements each Organization needs to have at least one 'Division' and a minimum no. of 'Secondary Users' including at least one DDO/Paying Authority and Buyer each.
- ii) The role of DDO (Paying Authority) in GeM can only be performed by an officer who is otherwise also authorized to function as the DDO/Paying Authority of that Office/Organization by the finance Department. Due attention may be paid that this role is not assigned to anyone else.
- iii) The DDO can not act as a Buyer or Consignee in GeM. However, a Buyer can be a Consignee and vice versa. Also, the Primary User can only be a Consignee and not a Buyer or DDO.
- iv) All State Government Primary and Secondary Users in GeM should have NIC Email IDs, and preferably the NIC Email IDs should be designation based.
- v) Due attention should be paid in defining/creating and naming 'Divisions' in GeM and it should be ensured that there are enough employees in a 'Division' including at least one DDO/Payment Authority. For example, the Division responsible for procurements in the Department Headquarters Office in XYZ Department could be named "Secretariat Office, XYZ Department".
- vi) The Offices which will not be having any Primary User will be a Division under the next higher office which is having a Primary User. For example, each BDO & ex-Officio EO of Panchayat Samity will be a Division under the 'Organization' of the concerned District Magistrate. BMOH Office will be a Division under the 'Organization*' of the concerned CMOH, etc.

vii) PSUs, Aided Institutions, Local Bodies, etc. will not be having any Primary Users. They will be Divisions under the concerned District/Directorate/Department 'Organization'.

5. **Verifying Authority of Primary User:**

- i. During Primary User Registration, the particulars of the registering Primary User need to be approved by a Verifying Authority. Such Verifying Authority chosen by the Primary User during GeM Registration should necessarily have a functional NIC Email ID and should be the same rank or senior than the Primary User in to the same Organization/ Department. The Verifying Authority- needs to approve reject the intending Primary User's application within 48 hours, else it is deemed approved.
- ii. The Administrative Departments may assign the responsibility of Verifying Authority to specific officers under its control through Administrative Orders, if required, as per their convenience.

6. **Select Guidelines for Secondary Users:**

- i. The Buyer shall place a Procurement Order only after obtaining necessary approval of the competent authority as per DFPR, 1977 unless he himself enjoys the required authority for making such a procurement as per the extant Rules of the State Government. Such financial approval needs to be uploaded onto GeM as well.
- ii. Before issuing order for procurement in GeM, the buyer shall check that there is sufficient fund available with the concerned DDO under the applicable Head of Account to ensure payment to seller within 10 days from the date of generation of CRAC (Consignee's Receipt & Acceptance Certificate).
- iii. The Consignee shall within 10 days of compliance of the conditions of the Procurement Order by the Seller/Vendor generate the CRAC. Before generating the CRAC the Consignee shall ensure that the Goods received are in satisfactory condition and are as per the required specifications. After generation of CRAC there is no provision of returning the Goods/seeking refund.
- iv. In case the Buyer desires to include installation of the Goods at a preferred location, the specific location's filter should be applied during searching potential Sellers of the item(s) and specified while inviting bids, giving Procurement Order, etc.

7. In case any new Product Categories are required to be created in GeM or further major clarifications are required which cannot be addressed by the Nodal Officers of respective Departments, they may be addressed to Joint Secretary, Group-T, Finance Department.



(H.K. Dwivedi)

Additional Chief Secretary to the
Government of West Bengal

No. 4949-F(Y)

Dated 3rd August, 2018

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata - 700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings,
2, Government Place West, Kolkata - 700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex,
3rd MSO Building, 5th Floor, Block DF, Sector I, Salt Lake, Kolkata - 700064.
4. Additional Chief Secretary / Principal Secretary / Secretary,.....
Department. **He is requested to circulate the same to all Autonomous and statutory
bodies/ Local Bodies/PSUs/parastatals, etc under his administrative control.**
5. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary,
Finance Department.
6. Financial Advisor, Department.
7. Commissioner, Division,
8. Director,
9. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3rd
Floor, Kolkata-700001.
10. District Magistrate / District Judge / Commissioner of Police / Superintendent of
Police
11. Sub-Divisional Officer,
12. Block Development Officer,
13. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I,
81/2/2, Phears Lane, Kolkata -700012.
14. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II,
P-1, Hyde Lane, Kolkata - 700073.
15. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III,
IB Market, 1st Floor, Block IB, Sector III, Salt Lake, Kolkata - 700106.
16. Treasury Officer,.....
17. Group/..... Branch, Finance Department.
18. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested
to upload copy of this order in the website of Finance Department.

Assistant Secretary to the
Government of West Bengal

Frequently Asked Questions (FAQ)

FAQ : TENDER

TENDER/E-TENDER RELATED

1. What is E-Procurement System ?

Ans: e-Procurement System is a process of procuring the items electronically using internet. This facility drastically reduces the tendering cycle time and reduces most of the indirect costs and enhances transparency in procurement.

2. What are the requirements of the client machine to access the e-Procurement site ?

Ans: To access the e-Procurement system, you need a computer system with Pentium IV configuration and above an internet connection. It is recommended that the connection can be a dedicated connection for smooth operation of the system. The Browser should be Java enabled. (Mozilla Firefox / Google Chrome / Internet Explorer)The driver for the Digital Signature Certificate (DSC) is to be installed in the system once. The drivers are provided by the DSC providers along with DSC (in CD or can be downloaded).Java Runtime Environment (JRE) should be installed in the client system. This can be downloaded from the download links of the e-Procurement System. You may kindly note that, the client system should have administrator privilege to install the DSC drivers and JRE.

3. Can I access my e-Procurement Account from a different client system ?

Ans: You can use your account anywhere in the world with the above mentioned configuration (as in S. no.2). You need to carry your DSC with you.

4. What is the default Date and Time format used in the System ?

Ans: The Default date time format is Indian Standard Time (IST), Which is (GMT +5:30). The format used is DD-Mon-YYYY HH:Mi AM/PM. This standard convention is followed in all the pages.

5. What are the basic features available in this Procurement Portal as a general user ?

Ans: The users can use the link 'Latest Active Tenders' available in the Home Page of this portal, to see all the tenders hosted on this Portal and download the 'Tender Schedule free of cost. The link 'Tenders by Closing Date' gives the facility to view the 'Tenders which are closing Today or closing within next 7 days or closing within next 14 days. The link Corrigendum lists all the corrigenda published for the related Tenders. The site also provides facility to search for tenders on various parameters such as Tenders based on value, department, product category, etc.

6. Should I have any Anti Virus software in my client system ?

Ans: All are advised to install and keep an update of the signatures of the Antivirus. Bids with virus infected files are likely to be rejected by the e-Procurement Portal.

7. Many documents have to be uploaded as PDF document. Sometimes, it is seen that Auto-cad drawings are required to be uploaded. Can I have some software for creating / viewing these documents ?

Ans: In the Home Page, under the downloads link, links for the software that are required for working with the application are given. These links point to the Open Source software and hence no licensing is required for using any of these software. Few of the links include Open Office, Adobe

Reader, PDF Creator, DWF Viewer etc., DWF viewer can be used to view the Auto-cad documents which are uploaded in DWF format.

8. I have uploaded the documents after digitally signing all the documents. Should I submit paper documents ink signed and submit to the TIA office ?

Ans: No. As per the IT ACT 2000, the Digitally signed document is as good as paper document for all legal purposes. Hence, there is no need to submit all the documents physically. However, when the physical documents are requested for cross checking purposes, the same need to be produced for verification. However, In the case of offline payment instruments, the physical documents need to be submitted before the bid opening event.

9. Whether Can I Upload BoQ with Currencies other than Indian Rupees ?

Ans: Yes. There is a separate BoQ for facilitating BoQ with International Currencies. The same is to be used while creating the BoQ. As on date, six currencies are allowed and each bidder can submit his bid with any one of the 6 foreign currencies of his choice. The rates as applicable on the date of opening will be used for comparative purposes. The system will give the indicative rates on the dates of opening and TIA has the option to override the system defined rates.

10. How to view / download Tender documents without logging into the system ?

Ans: Click on the Latest Active Tenders, and search the tender you are interested in using certain search criteria. To download the tender documents click on view button and click on the tender documents. The system will ask you for the user name and password. You can use the guest account guest with the password Guest#08 and click on any of the active tenders and download the required documents. However, it is advised to login to the system and download the tender documents so that corrigendum/addendum if published will be automatically mailed to you.

11. As a department user, by mistake I have rejected a bidder or the due to legal issues, the Tender Inviting Authority is forced to go back to previous stage and open a rejected bidder at the Technical / Financial Stage? Whether it is allowed and if so how ?

Ans: Yes. The system has the facility and is carried out using a Corrigendum. This corrigendum is Tender Revocation Corrigendum. When the tender is in advanced stage, the TIA can invoke this corrigendum based on the need and those who have participated in this tender are informed about this procedure by mail. The TIA can continue the process in the same way as before after accepting the rejected bidder. This is to be used in emergencies such as Court rulings or inadvertent errors. However, all activities are mailed to the respective stake holders.

12. I generated the BoQ Comparative Chart. I found that one of the Bidders data is not getting reflected in the Comparative chart. How to handle ?

Ans: The System generates the comparative chart from the BoQ uploaded by the bidders. If the Bidder makes any mistake in the Sheet Name or any of the values, then the system will not be able to read the data from the BoQ uploaded and hence may get missed out from the Comparative Chart. The Department user may take a decision to accept or reject that depending on the nature of mistake and regenerate the Comparative chart manually and upload this comparative chart along with the Financial Summary which can be seen by the General Public. T-8) A Tender is published and cancelled after few days of publishing. How will I know the same? A tender when cancelled, it has to be cancelled using the Tender Cancellation corrigendum. The system will display this Cancellation corrigendum in this portal for a period of say 1 week from the date of publishing of the Cancellation Corrigendum.

G.O. AND RULES RELATED TO TENDER

1. Where is the provision of tender ?

Ans: Provision of tender is laid down in WBFR Clause 177, 178 and 179.

2. Is there any provision for enlistment of contractors ?

Ans: No, provision of enlistment vide clause 177 (a) has been deleted vide FD GO No.- 2254 F(Y) Dt.- 24.04.14

3. Is there any special provision for emergency work ?

Ans : No, as per clause 177 (b) of WBFR there is no special provision for declaring any work as “emergent” and for execution of any work as “emergent”. In cases of exceptional urgency calling for any special treatment, the Chief Engineer shall obtain orders of the Government as the case may be.

4. What is the procedure for procurement up to Rs. 10,000 ?

Ans: Direct Purchase without any tender quotation.

5. What is the procedure for procurement more than Rs. 10,000 but up to Rs. 1,00,000 ?

Ans: Quotations from at least 4 reliable firms are required. For this purpose local tender committee is to be constituted in each office. Notice for Quotation is to be issued on the Notice Board of the concerned office, Office of DM/SDO and Panchayat/Municipality office and in the official website of the Department, if any.

5. What is the procedure for procurement more than Rs. 1,00,000 ?

Ans: Procedure to be followed as below (vide FD GO No.- 2254 F(Y) Dt.- 24.04.14):

Particulars	Notice Inviting Tender	Time from the last date of publication to Last date of submission	
Procurement of Works / Services of Rs.1 Lakh to 5 Lakh	NIT on the notice board and official website of Admn. Department and brief referral publication in one Bengali Newspaper (Nepali newspaper hill areas of Darjeeling)	7 days	E-Tender is not mandatory
Procurement of Works / Services exceeding Rs.5 Lakh to 10 Lakh	NIT on the notice board and official website of Admn. Department and brief referral publication in 1 Bengali Newspaper (Nepali newspaper hill areas of Darjeeling) and in 1 English Newspaper	7 days	E-Tender is mandatory through http// www.wbtenders.gov.in

Particulars	Notice Inviting Tender	Time from the last date of publication to Last date of submission	
Procurement of Works / Services exceeding Rs.10 Lakh to 1 Crore	NIT on the notice board and official website of Admn. Department and brief referral publication in 1 Bengali Newspaper (Nepali newspaper hill areas of Darjeeling) 1 Hindi Newspaper and in 1 English Newspaper	14 days	Over Rs. 10 Lakh two bid tendering system is mandatory
Procurement of Works / Services exceeding Rs.1 Crore		21 days	
<ul style="list-style-type: none"> Brief referral publication in news paper shall contain only name and location of the scheme, last date submission of tender and name of website including tender ID. Advertisement to the well circulated newspaper having sufficient publication at the rates approved by I&CA Department 			

6. Is e-tender mandatory for ULBs?

Ans: Yes it is mandatory for estimated amount more than Rs-5 lakhs vide FD GO No.- 2254 F(Y) Dt.- 24.04.14, No-6932-F(Y) dt. 29.8.13, No. 3112 -F(Y) 13.6.14, No .4143 -F(Y) dt. 11.8.14.

7. How much should be EMD?

Ans: EMD may be 2% of estimated amount. Referred to PWD Code rule No-230.

8. How much should be the security deposit?

Ans: SD is 10% of tender amount. 2% is deposited during agreement and 8% is deducted from R/A Bill.

9. Is there any provision for tender fee collection?

Ans: As per FD GO No.- 2254 F(Y) Dt.- 24.04.14 there is no tender fee for e-tender, it is completely free of cost however successful bidder have to purchase tender documents during agreement.

10. Is there any provision for collecting EMD amount through bank draft/Cheque/Cash/ Bank Guarantee ?

Ans: No EMD can only be deposited through online, vide FD memo No- 3975-F(Y) dated 28.7.16

11. How to refund EMD for unsuccessful bidders?

Ans: This is an automatic process through e-tender portal described in detail vide FD memo No-3975-F(Y) dated 28.7.16

12. Any bidder not having net banking debit card or credit card, how they can deposit online EMD?

Ans: Pre generated challan through the portal can be used for such bidder referred FD memo No-3975-F(Y) dated 28.7.16

13. If any ULB not observing online EMD is their tender valid?

Ans: No, as per FD memo No-2365-F(Y) dt 12.4.18 this tender will not be treated as valid.

14. What is the rule to ask for credential and reviewing eligibility criteria in respect of successive calls?

Ans: It is described in PWD code amendment No-04/A/PW/O/10C-02/14 dated-18.03.2015. Eligibility criteria should be reviewed before retender as per FD G.O. 925 F(Y) dt. 14.2.17

15. Is payment certificate valid to be treated as Credential?

Ans: No, as per PWD code amendment vide G.O. No-04/A/PW/O/10C-02/14 dated-18.03.2015 only credential certificate issued by Executive Engineer or equivalent or competent authority of State Govt., GoI, PSU, ULB etc. can be taken as credential.

16. When security deposit can be released?

Ans: It may be 6 months, 1 year, 3 years or 5 years after successful completion of work depending upon defect liability period briefly described in WBF-2911 clause-17 amendment No- 5784-PW/L&A/2M-175/2017 Dated: 12.09.2017

17. What is the minimum number of bidders required to mature a tender?

Ans: As per FD GO 2254 F(Y) dt. 24.4.14, selection of agency should be made on the basis of at least three tenders, which shall be opened in presence of willing agents. If the number of tenders received is less than three, tender should be invited afresh. But After following the procedures of Re-tender, the nos. of tenderers /bidders in the re-tender is less than 3 then the matter shall be dealt in the light of Finance Department memo no.925-F(Y) dated 14.02.2017.

18. Is there any relaxation in tender inviting procedure for retender?

Ans: No, as per FD memo No-925-F(Y) dt. 14.2.17 re-tender must be done following all the procedures just like a fresh tender, i.e., paper publication, time gap between the date of paper publication and last date of submission of tender, e-tender procedure, etc. shall be followed as per rule.

19. What are the mandatory technical documents requirements from contractors ?

Ans: As per WBFR Rule 47 (9) (b): (vide FD GO 4374 F(Y) dated 13.7.17)

- i. Bidders shall submit copy of
 - **Valid PAN** issued by the IT Deptt., Govt. of India
 - **Valid I5-digit Goods and Services Taxpayer Identification Number (GSTIN)** under GST Act, 2017
- ii. The following clause shall be included in all the contracts to be executed for
 - (a) procurement of goods and services and
 - (b) works-related contract involving supply of goods and services by contractor :

“Tax invoice(s) needs to be issued by the supplier for raising claim under the contract showing separately the tax charged in accordance with the provisions of GST Act, 2017.”

Other than above, Trade Licence, Annual turnover (Audited), Bank solvency certificate (as per volume and nature of the job) Electrical Licence and Electrical Supervisory licence for Electrical works, EPF & ESI for big projects etc. are also required.

Particulars of ownership/partnership or board of directors parenting to the organization company / firm should be asked to provide.

List of machines and equipments necessary for fields as well as laboratory tests and list of qualified technical personnel employed in the firm.

Credential in accordance with PWD code amendment vide G.O. No-04/A/PW/O/10C-02/14 dated-18.03.2015

Declarations and Affidavits are also required.

20. What is the procedure of rate negotiation?

Ans: As per rule 220 of PWD code (amended vide memo No-178-W(C) /1M-23/15 dated 09.03.17) there should normally be no post tender negotiations. If at all negotiations are warranted under exceptional circumstances, then it can be with L1 only.

21. What is the procedure of imposing Additional Performance Security?

Ans: As per FD GO No. 4608-F(Y) dated 18.7.18, when the bid rate is 80% or less than estimated amount put to tender Additional Performance Security @10% of the tendered amount shall be obtained from successful bidder in the form of Bank Guarantee. Hence, necessary provision shall be incorporated in all NIT and shall be part of contract agreement.

22. Is there any provision to award the work to other than L1 ?

Ans: As per FD GO No. 2254 F(Y) dated 24.4.14, the lowest tender for such works should be accepted as a rule. If for any reason, the lowest tender is not accepted, reference shall be made to Government for orders as to which of the contractors the work should be given.

23. Is tender register mandatory? Which format to be used?

Ans: Yes, every TIA should maintain a tender register as per format annexed with G.O.9754-F(Y) dated 3.12.2012.

24. What is the provision of extension of dates?

Ans: As per FD GO - 3661-F(Y) dated 07.06.18 the following to be adhere :

I. Extension of date:

- a. The tender process shall be initiated well in advance keeping in mind that there may be a situation for extension of last dates and/or re-tender.
- b. The last date of submission may be extended (for both e-tender and offline tender processes) if notice of extension is issued before opening of the technical bids. However, such extension may generally be made for at least 5 days which would be counted from the date of publication of the corrigendum notice for such extension in at least one widely circulated newspaper.
- c. After opening of the technical bids, the date cannot be extended, however re-tender may be invited.
- d. Extension of date cannot be treated as 2nd or subsequent Call.

25. Which are the documents to be forwarded with CS?

Ans: i) Documents substantiate the tender procedures have been followed properly (i.e., paper publication for all calls, time gap between the date of paper publication and last date of

submission of tender, e-tender procedure, tender register, technical evaluation sheet, system generated CS etc. with proper authentication)

- ii) For the case of less than three bidders in re-tender the properly filled-up Annexure-I (vide FD Memo. No. 4378 F(Y) dt. 13.7.17) should be forwarded in original. The rows for comment of FA/Head of Administrative Department may be left vacant for comments of appropriate authority. Specific recommendation of TIA along with justification may be recorded in the appropriate row of the Annexure-I.
- iii) Certificate from TIA that the Terms & Condition and eligibility criteria has been reviewed before re-tendering and following amendments/ no amendments are made in the Tender Documents with reasons.

26. Whether is splitting of works and/or increase in scope of work of projects during execution phase permissible?

Ans: (a) No. As per Rule 102 of WBFR, Splitting of works is not allowed in general.

(b) Under no circumstances splitting of work is allowed for evading the provisions of e-tender and/or for evading the financial power of the sanctioning authority.

(Relevant G.O. No.4609-F(Y) dated 18.07.2018)

27. Whether the scope of work can be increased during period of execution after the finalisation of Tender Process?

Ans: No. Further no additional/supplementary/ substitute item should be considered beyond the already approved scope of work and estimate. Where the accepted bid rate is less than the estimated amount put to tender, the scope of work should not be increased to allow expenditure up to the administratively approved amount. However, routine and minor deviations, as permissible in PWD code and WBFR may be considered with the approval of competent authority if the same are absolutely essential for execution of work as per the already approved plan and design.

28. Whether procurement through DGS&D Rate Contract is permissible?

Ans: No. DGS&D System has been abolished. This has been replaced by the procurement through Government E-Marketplace (GeM) system. For procurement through GeM, Buyer Registration is required by the respective organisation on the GeM Portal. Relevant **G.O. No.3876-F(Y) dated 14.06.2018** may be referred. Guidelines for creation of Organisational Hierarchy and selection of Primary/Secondary users in GeM is circulated vide **G.O. No.4949-F(Y) dated 03.08.2018**.

29. Whether the State Government/Central Government Corporations and Autonomous Bodies can be engaged for Government Works?

Ans.: (1) As per Rule 47D of WBFR, State Government Corporations and Autonomous Bodies enlisted in Annexure-‘C’ can be can be engaged for Government Works F.D. **G.O. No.5400-F(Y) dated 25.06.2012**. Annexure-C has been revised time to time. The recent list has been revised vide **G.O. No.4328-F(Y) dated 06.07.2018** in which only the Development Authorities under UD&MA Department are enlisted to work as Agency for Government Works under Rule 47D.

(2) Although initially the Central Government organisation/ Public Sector Enterprises/ Companies/ Undertakings under Annexure-D were authorised to do State Government Works under Rule 47D as per **G.O. No.5400-F(Y) dated 25.06.2012**, later on the said Annexure D was deleted vide **G.O. No. 479-F(Y) dated 28.01.2016**.

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