

Government of India  
Central Public Works Department  
Directorate General of Works (CSQ Organisation)  
Contracts & Manual Unit

No.DGW/CON/ 129

Dated. Nirman Bhawan, New Delhi, the 3/5/1999.

**OFFICE MEMORANDUM**

Sub: Amendment No.2 to General Conditions of Contract for CPWD works, 1998 – Amendment to clause 9A – Payment of Contractor's Bills to Banks.

The following amendment/change is hereby made in clause 9A of the General Conditions of Contract to CPWD works – 1998, regarding payment of Contractor's Bills to Banks.

Clause	Page	Para	Existing	Amended
9A	22	1 & 2	<p>Payments due to the contractor may, if so desired by him, be made to his bank instead of direct to him provided that the contractor furnishes to the Engineer-in-Charge (1) an authorization in the form of a legally valid document such as a power of attorney conferring authority on the bank to receive payments and (2) his own acceptance of the correctness of the amount made out as being due to him by Govt. or his signature on the bill or other claim preferred against Government before settlement by the Engineer-in-Charge of the account or claim by payment to the bank. While the receipt given by such banks shall constitute a full and sufficient discharge for the payment, the contractor shall wherever possible present his bills duly receipted and discharged through his bankers.</p> <p>Nothing herein contained shall operate to create in favour of the bank any rights or equities vis-à-vis the President of India.</p>	<p>Payments due to the contractor may, if so desired by him, be made to his bank, registered financial, co-operative or thrift societies or recognised financial institutions instead of direct to him provided that the contractor furnishes to the Engineer-in-Charge (1) an authorization in the form of a legally valid document such as a power of attorney conferring authority on the bank; registered financial, cooperative or thrift societies or recognised financial institutions to receive payments and (2) his own acceptance of the correctness of the amount made out as being due to him by Government or his signature on the bill or other claim preferred against Government before settlement by the Engineer-in-charge of the account or claim by payment to the bank, registered financial, cooperative or thrift societies or recognised financial institutions. While the receipt given by such bank; registered financial, cooperative or thrift societies or recognised financial institutions shall constitute a full and sufficient discharge for the payment, the contractor shall whenever possible present his bills duly receipted and discharged through his bank, registered financial, cooperative or thrift societies or recognised financial institutions.</p> <p>Nothing herein contained shall operate to create in favour of the bank; registered financial, cooperative or thrift societies or recognised financial institutions any rights or equities vis-à-vis the President of India.</p>



(P.K.Mathur)

Superintending Engineer(C&M)

(Issued from File No.30/1/98/SE/CM)

Forwarded as per mailing list.

**Government of India  
Central Public Works Department  
Directorate General of Works  
CSQ Organisation  
Contracts & Manual Unit**

DGW/CON/ 130

Dated Nirman Bhawan, New Delhi, the 18<sup>th</sup> May, 1999.

**OFFICE MEMORANDUM**

Sub: Amendment No.2 to General Conditions of Contract for Central Public Works 1998 –  
Amendment to Form CPWD – 6.

In accordance with this Directorate Office Memorandum No.DGW / MAN / 26 dated 18<sup>th</sup> May, 1999, Condition No.10 of Form CPWD –6 included in General Conditions of Contract for CPWD Works 1998 is amended as below:-

**Condition No.10:**

"The competent authority on behalf of President of India does not bind himself to accept the lowest or any other tender, and reserves to himself the authority to reject any or all of the tenders received without the assignment of a reason.

The competent authority also reserves its right to allow to the Central Government Public Sector Enterprises / Joint ventures with PSEs with a minimum value added content of over 20% by the latter, a purchase preference with reference to the lowest valid price bid where the quoted price is within 10% of such lowest price, other things being equal, in case of tenders/quotations whose date of receipt is up-to 31.3.2000, subject to the estimated cost being in excess of Rs.5 crores.

All tenders, in which any of the prescribed conditions are not fulfilled or are incomplete in any respect, are liable to be rejected".



**(P.K. Mathur)**  
Superintending Engineer(C&M)

(Issued from File No.30/1/96/SE(CM))

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**Government of India  
Central Public Works Department  
Directorate General of Works  
(CSQ Organisation)  
Contracts & Manual Unit**

No.DGW/ CON/ 131

Dated, Nirman Bhawan, New Delhi, the 22<sup>nd</sup> June, 1999.

**OFFICE MEMORANDUM**

Sub: Timely settlement of final bill and release of Security Deposit of Contractors.

\*\*\*\*

Clauses 9,17 & 35 of the General Conditions of Contract for CPWD works stipulate time limits for payment of final bill after completion of a contract and procedure for refund of security deposit. It has come to the notice of this Directorate that these limits are not being followed by the field officers. It is, therefore, enjoined upon all concerned to stick to the provisions of these clauses strictly.

This issues with the approval of DG (W).



**(P.K. Mathur)**  
Superintending Engineer(C&M)

(Issued from File No.30/1/96/SE/CM)

Copy to all as per Mailing List.

**Government of India  
Central Public Works Department  
Directorate General of Works  
(CSQ Organisation)  
Contracts & Manual Unit**

No.DGW/ CON/ 132

Dated: Nirman Bhawan, New Delhi, the 26.7.1999.

**OFFICE MEMORANDUM**

Sub: Award of work to Registered Labour Co-operative Societies  
\*\*\*\*\*

Attention is drawn to the provisions of para 16.5.1 to 16.5.4, 20.10.8.1, & 20.10.8.2 of CPWD Manual Vol II 1988 edition award of works to Registered Labour Co-operative Societies. It has been brought to the notice of this Directorate that these provisions are not being followed. These registered Labour Co-operative Societies are to be registered in the office of District Registrar indicating the purpose for the registration. It is, therefore, enjoined upon all officers of CPWD that instructions contained in the above said paras of CPWD Manual should be strictly followed.



**(P.K. Mathur)**

Superintending Engineer (C&M)

(Issued from File No.30/1/96/SE/CM)

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**Government of India  
Central Public Works Department  
Directorate General of Works  
CSQ Organisation  
Contracts & Manual Unit**

No. DGW/CCN/133

Dated Nirman Bhawan, New Delhi, the 5<sup>th</sup> Nov., 1999


**OFFICE MEMORANDUM**

**Subject: Price variation clause in tenders for specialised electric works of Lifts – General  
Conditions of Contract for CPWD Works-1998**



It has been decided by the DG(W), CPWD that Chief Engineers(E) may accept IEEMA Price Variation Clause in lieu of clause 10(CC) incorporated in NITs for specialised electric works of providing, installation, testing and commissioning of lifts, whenever IEEMA Clause in detail is offered by tenderers on case to case basis.

Before accepting the IEEMA Clause submitted by the tenderer, the Chief Engineer shall examine the text of the clause carefully and ensure the best interest of the Government. It shall also be ensured that only one of the clauses i.e. either 10(CC) or IEEMA is stipulated in the contract.

  
(P.K.Mathur)  
Superintending Engineer(C&M)

(Issued from file No. 30/1/96/SE/CM)

Copy to:  
All ADGs, CEs(E), SEs(E) and EEs(E)



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/134

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

14<sup>th</sup> December, 1999

### PAYMENTS ON ACCOUNT OF ARBITRATION AWARD.

Doubts have been raised by some Chief Engineers regarding the Head of Account to which the payment of arbitration award is to be debited, in view of contrary provisions in paras 36.63 and 50.11 of CPWD Manual Volume II. The matter has been examined in consultation with AS(F) & FA, Ministry of Urban Development. It is, hereby, clarified that the expenditure made for payments on account of Arbitration Awards disbursed after making them "Rule of Court" are to be debited to "Charged Expenditure" Head and awards settled directly with the Contractor after obtaining an undertaking in prescribed form without making a "Rule of Court" are to be debited to the "Voted" works Heads.

Para 36.63 & 50.11 of CPWD Manual Volume II shall be suitably amended in due course.

(P.K.Mathur)  
Superintending Engineer (C&M)

File No. CSQ/SE/CM/30/1/99

1. Copy forwarded as per mailing list overleaf
2. Copy to AS(F) & FA, Ministry of Urban Development w.r.t. his note dated 28.7.99



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/135

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

20 December, 1999

**PRICE PREFERENCE TO CONTRACTORS BELONGING TO SC/ST**  
**FOR AWARD OF CONTRACTS IN RESPECT OF WORKS IN**  
**CENTRAL PUBLIC WORKS DEPARTMENT**

In continuation to this Directorate Office Memorandum No. DGW/CON/124 dated 7.8.98, a copy of Ministry of Urban Development (Works Division) No.28012/38/83-W3-W4 dated 1.11.99, conveying the approval of the Government to the continuance of the above noted concessions for a further period of two years from 1.1.2000, is forwarded herewith for information and guidance.

Encl: One

(P.K.Mathur)  
Superintending Engineer (C&M)

File No. CSQ/SE/CM/15/1/96

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/136

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

January 20, 2000

21/8

### AMENDMENT NO.4 TO GENERAL CONDITIONS OF CONTRACT FOR CENTRAL P.W.D. WORKS, 1998 - AMENDMENT TO FORM CPWD-6.

In accordance with this Directorate Office Memorandum No.DGW/MAIN/43 dated 20.1.2000 and in continuation of Office Memorandum No. DGW/CON/128 dated 8.3.99, condition No.8.1 of Form CPWD-6 included in General Conditions of Contract for CPWD works, 1998 is amended as below:

- 8.1 The tender shall be accompanied by earnest money (unless exempted), of Rs..... in cash/Receipt Treasury Challan/Deposit at Call receipt of a Scheduled Bank/Fixed Deposit Receipt of a Scheduled Bank/Demand Draft of a Scheduled Bank issued in favour of.....the amount being credited to ..... The Fixed Deposit Receipt shall be accepted only if it is valid for six months or more after the last date of receipt of tenders and is pledged in favour of ..... A contractor exempted from depositing earnest money in individual cases, shall enclose with the tender an attested copy of the letter exempting him from depositing earnest money, in a manner described for earnest money in condition No. 8.2 below, and shall produce the original when called upon to do so.

(P.K.Mathur)

Superintending Engineer (C&M)



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/137

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

March 30, 2000

### **BASE RATE OF LABOUR FOR PAYMENT OF ESCALATION UNDER CLAUSE 10(CC) OF GENERAL CONDITIONS OF CONTRACT FOR CPWD WORKS, 1998**

A case has been reported to this Directorate where the local Government revised the minimum wages for labour with retrospective effect. The tenders were received prior to this notification of the local Government. The contractor claimed that he should be paid escalation under clause 10(CC) of the contract with base rate for labour taken that as actually existed on the last date of receipt of the tenders, not the revised rate.

The matter has been examined in this Directorate. It is clarified that even if the fair wages of labour are revised with retrospective effect by any government notification, such that the wages existing on the last date of receipt of tenders get revised after receipt of tenders, the base rate for payment of escalation to the contractor under clause 10(CC) of the General Conditions of Contract for CPWD Works shall be taken the one that actually existed prior to issue of notification revising the wages.

It shall, however, be ensured that in all such cases the contractor actually pays the arrears of wages to the labour becoming due, if any.

(P.K.Mathur)

Superintending Engineer (C&M)

File No. CSQ/SE/CM/18/2/99

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/138

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

26 April, 2000

### **AMENDMENT NO.5 TO GENERAL CONDITIONS OF CONTRACT FOR CPWD WORKS 1998 - AMENDMENT TO CLAUSE 17**

Clause 17 of the General Conditions of Contract for CPWD Works 1998 is amended as below to provide for enhanced maintenance period of 12 months/6 months, depending upon the nature of work, after completion of the work. The security deposit of the contractor will be released after 12 months/6months as given hereunder in the amended clause. The amended clause shall be incorporated in all NITs issued on or after 1.6.2000.

**Clause 17** If the contractor or his working people or servants shall break, deface, injure or destroy any part of building in which they may be working, or any building, road, road curb, fence, enclosure, water pipe, cables, drains, electric or telephone post or wires, trees, grass or grassland, or cultivated ground contiguous to the premises on which the work or any part is being executed, or if any damage shall happen to the work while in progress, from any cause whatever or if any defect, shrinkage or other faults appear in the work within twelve months (6 months in the case of any work other than road work costing Rs.1,00,000/- and below) after a certificate final or otherwise of its completion shall have been given by the Engineer-in-Charge as aforesaid arising out of defect or improper materials or workmanship the contractor shall upon receipt of a notice in writing on that behalf make the same good at his own expense or in default the Engineer-in-Charge cause the same to be made good by other workmen and deduct the expense from any sums that may be due or at any time thereafter may become due to the contractor, or from his security deposit or the proceeds of sale thereof or of a sufficient portion thereof. The security deposit of the contractor shall not be refunded before the expiry of twelve months (six months in the case of any work other than road work costing Rs.10,00,000/- and below) after the issue of the certificate final or otherwise, of completion of work, or till the final bill has been prepared and passed whichever is later. Provided that in the case of road work if in the opinion of the Engineer-in-Charge, half of the security deposit is sufficient, to meet all liabilities of the contractor under this contract, half of the security deposit will be refundable after six months and the remaining half after twelve months of the issue of the said certificate of completion or till the final bill has been prepared and passed whichever is later.



(P.K.Mathur)

Superintending Engineer (C&M)

File No. CSQ/SE/CM/Tech. Bd.

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/139

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

27 April, 2000

### **AMENDMENT NO.6 TO GENERAL CONDITIONS OF CONTRACT FOR CPWD WORKS, 1998**

In accordance with this Directorate Office Memorandum No. DGW/MAN/47 dated 27.4.2000, following amendments are made to the General Conditions of Contract for CPWD Works, 1998. The amended conditions/clauses shall read as given hereunder. These amendments shall be inserted in all NITs which are issued on or after 1.6.2000.

#### **1. Amendment to condition No.10 of CPWD-6 :**

"The competent authority on behalf of President of India does not bind himself to accept the lowest or any other tender, and reserves to himself the authority to reject any or all of the tenders received without the assignment of a reason. All tenders, in which any of the prescribed conditions is not fulfilled or any condition including that of conditional and/or unconditional rebate is put forth by the tenderer, shall be summarily rejected."

#### **2. Amendment to GENERAL RULES & DIRECTIONS:**

**Clause 4** Any person who submits a tender shall fill up the usual printed form, stating at what rate he is willing to undertake each item of the work. Tenders, which propose any alteration in the work specified in the said form of invitation to tender, or in the time allowed for carrying out the work, or which contain any other condition of any sort including conditional or unconditional rebates, will be summarily rejected. No single tender shall include more than one work, but contractors who wish to tender for two or more works shall submit separate tender for each. Tender shall have the name and number of the works to which they refer, written on the envelopes.

The rate(s) must be quoted in decimal coinage. Amounts must be quoted in full rupees by ignoring fifty paise and considering more than fifty paise as rupee one.



**Clause 4A** In case of Percentage Rate Tenders, tenderer shall fill up the usual printed form, stating at what percentage below/above (in figures as well as in words) the total estimated cost given in Schedule of Quantities at Schedule-A, he will be willing to execute the work. Tenders, which propose any alteration in the work specified in the said form of invitation to tender, or in the time allowed for carrying out the work, or which contain any other condition of any sort including conditional or unconditional rebates, will be summarily rejected. No single tender shall include more than one work, but contractors who wish to tender for two or more works shall submit separate tender for each. Tender shall have the name and number of the works to which they refer, written on the envelopes.



(P.K.Mathur)  
Superintending Engineer (C&M)

File No. CSQ/SE/CM/32/5/99

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/140

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

28 April, 2000

### **AMENDMENT NO. 7 TO GENERAL CONDITIONS OF CONTRACT FOR CPWD WORKS 1998 - AMENDMENT TO CLAUSE 10(CC)**

Clause 10 CC of General Conditions of Contract for CPWD Works 1998 is amended to read as below upto its sub-clause ii). **Rest of the clause shall remain as it is.** This amendment shall be incorporated in all NITs issued on or after 1.6.2000

"Clause 10(CC) - If the prices of materials (not being materials supplied or services rendered at fixed prices by the Department in accordance with Clauses 10 & 34 thereof) and/or wages of labour required for execution of the work increase, the contractor shall be compensated for such increase as per provisions detailed below and the amount of the contract shall accordingly be varied, subject to the condition that such compensation for escalation in prices shall be available only for the work done during the stipulated period of the contract including such period for which the contract is validly extended under the provisions of Clause 5 of the contract without any action under Clause 2 and also subject to the condition that no such compensation shall be payable for a work for which the stipulated period of completion is 18 months or less. Such compensation for escalation in the prices of materials and labour, when due, shall be worked out based on the following provisions:-

- i) The base date for working out such escalation shall be the last stipulated date of receipt of tenders including extension, if any.
- ii) The cost of work on which the escalation will be payable shall be reckoned as below :
  - a) Gross value of work done upto this quarter : (A)
  - b) Gross value of work done upto the last quarter : (B)
  - c) Gross value of work done since previous quarter (a-b) : (C)

- d) Full assessed value of Secured Advance fresh paid in this quarter ; (D)
- e) Full assessed value of Secured Advance recovered in this quarter ; (E)
- f) Full assessed value of Secured Advance for which escalation is payable in this quarter (d-e) ; (F)
- g) Advance payment made during this quarter ; (G)
- h) Advance payment recovered during this quarter ; (H)
- i) Advance payment for which escalation is payable in this quarter (g-h) ; (I)
- j) Extra Items paid as per Clause 12 & 12A based on prevailing market rates during this quarter ; (J)

Then,  $X = C + F + I - J$

$$Y = 0.85 X$$

- k) Less cost of material supplied by the Department as per Clause 10 and recovered during the quarter (K)
- l) Less cost of services rendered at fixed charges as per Clause 34 and recovered during the quarter (L)

**Cost of work for which escalation is applicable :**

$$W = Y - (K+L)$$



(P.K.Mathur)

Superintending Engineer (C&M)



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/141

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

28 April, 2000

### APPOINTMENT OF ARBITRATOR BY CHIEF ENGINEERS OF CPWD

Clause 25 of the General Conditions of Contract for CPWD Works, 1998 prescribes a complete drill to be followed by a contractor before he can serve a notice upon the Chief Engineer to appoint an Arbitrator. In case of a dispute arising in relation to the matters mentioned in the clause, the contractor is required to request the Superintending Engineer in writing, within 15 days, for written instructions or decision. If the Superintending Engineer fails to give instruction or decision within one month or the contractor is not satisfied with the instruction or the decision, he may appeal to the Chief Engineer within 15 days of receipt of the Superintending Engineer's decision. The Chief Engineer is required to give his decision within 30 days of receipt of contractor's appeal. It is only if the contractor is dissatisfied with the decision of the Chief Engineer that he can give a notice to the Chief Engineer within 30 days from the receipt of his decision to appoint an Arbitrator failing which the decision shall be final, binding and conclusive and not referable to adjudication by the Arbitrator.

Notwithstanding this drill, the above clause does not specify any time limit for the Chief Engineer for appointing the Arbitrator. Nor there is a time limit given in the Arbitration and Conciliation Act, 1996. Para 36.14 of CPWD Manual Vol.II does, however, prescribe a time limit of 30 days for the Chief Engineer to appoint the Arbitrator. Cases of inordinate delay in appointment of the Arbitrator have come to the notice of this Directorate. The matter was discussed in the second meeting of the Technical Board of CPWD.

It has been decided that the drill for the appointment of Arbitrator prescribed in Clause 25 of the General Conditions of Contract for CPWD Works, 1998 should be scrupulously followed. The Chief Engineer should decline to appoint the Arbitrator if the contractor has not followed this drill. And, once the contractor has given the notice to the Chief Engineer for appointment of Arbitrator after observing all the formalities, the Chief Engineer must appoint the Arbitrator within 30 days of receipt of such notice from the contractor.

(P.K.Mathur)

Superintending Engineer (C&M)

File No. CSQ/SE/CM/Tech. Bd.

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/142

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

Dated: 21st July, 2000.  
25

**ERRATA TO AMENDMENT NO.5 TO**  
**GENERAL CONDITIONS OF CONTRACT FOR CPWD WORKS 1998**  
**AMENDMENT TO CLAUSE 17**

<u>Sl.No.</u>	<u>Para No.</u>	<u>Line No.</u>	<u>Written as</u>	<u>Read</u>
1.	Clause 17	3 <sup>rd</sup> Line	road curb	road kerb.
2.	Clause 17	8 <sup>th</sup> Line	Rs.1,00,000/-	Rs.10,00,000/-

This is issued with the approval of Director General (Works) CPWD.

  
(S.K. Mittal)  
Superintending Engineer (C&M)

Issued from File No.30/1/SE/CM.

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/143

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

29 August, 2000

Sub: Delay in submission of application for revalidation of contractors

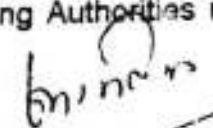
The revalidation of enlistment of contractors is being done for a period of five years from the date of expiry of the enlistment and the contractor is required to apply for revalidation six months in advance of the expiry of enlistment. However, in cases, where the contractor does not apply before the date of expiry of enlistment, he is advised to seek fresh enlistment, as per guidelines issued vide DG(W) OM No. DGW/CON/122 dated 18.5.1998.

It has now been decided by the DG(W), CPWD that the application for revalidation may be accepted upto three months after the date of expiry of enlistment, if the contractor deposits the late fee as given below :

- |                                   |              |
|-----------------------------------|--------------|
| i) For class - I contractors      | Rs. 10,000/- |
| ii) For Class II to V contractors | Rs. 5,000/-  |

Further, as a one-time relaxation, it has been decided that for the contractors whose enlistment has expired between 30.1.2000 and date of issue of this letter, their application for revalidation may be accepted, if the contractor submits the application for revalidation along-with the above late fee within three months of date of issue of this OM.

The late fee is to be deposited through an A/c payee Demand Draft drawn on a Scheduled Bank in favour of the Chief Engineer (CSQ), New Delhi for cases where enlisting authority is DG(W) or ADG(TD) (except in cases of Class II (Elec) contractors). For other cases, the Enlisting Authorities may issue necessary instructions, for the purpose.

  
(S.K. MITTAL)

Superintending Engineer(C&M)

(Issued from file no.14/3/90/SE/CM)

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/144

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

18th September, 2000

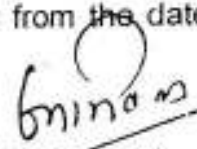
### Concessions to SC/ST Contractors

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Government of India has been granting certain concessions to the Contractors belonging to SC/ST communities from time to time in respect of sale of tenders, award of work etc. Their Association has been representing to the National Commission for SC/ST for further relaxation. In pursuance of the meetings held in the said Commission and after examining their demands, DG(W) is pleased to decide that :

- (i) Copies of Notice Inviting Tenders (PWD 6) for works costing upto Rs. 1 (one) lakh may be sent to CPWD/PWD SC/ST CONTRACTORS WELFARE ASSOCIATION (REGD), B-1/23, KIRAN GARDEN, UTTAM NAGAR, NEW DELHI - 110059, by Registered Post.
- (ii) The working capital certificate for registration and revalidation in class V (B&R), class IV (Electrical) and class IV (Furniture) for SC/ST contractors, shall uniformly be Rs. 15,000/-, instead of Rs. 50,000/-, Rs.25,000/- and Rs. 25,000/- respectively as per existing instructions.

These orders will be valid for a period of one year from the date of issue and would be reviewed thereafter.

  
(S.K. MITTAL)

Superintending Engineer(C&M)

(Issued from file no.15/1/96 (vol.2)/SE/CM)

Copy forwarded to

1. National Commission for SC/ST, 5<sup>th</sup> floor, Loknayak Bhawan, New Delhi.  
(Kind attention - Sh. H.S. Khalsa, Member)
2. As per mailing list attached





# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/145

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

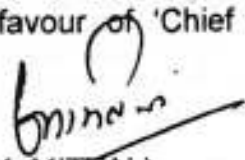
5th, October, 2000

**Sub: Delay in submission of application for revalidation of contractors.**

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Vide O.M.No.DGW/CON/143, it was intimated that for cases where enlisting authority is DG(W) or ADG(TD) (except cases of Class II (Elect.) contractors), the late fee is to be deposited through an account payee Demand Draft in favour of "Chief Engineer(CSQ), New Delhi."

In partial modification of above, it is to intimate that in the cases mentioned above the Demand Draft should be drawn in favour of 'Chief Engineer (CSQ), CPWD, New Delhi.'

  
(S.K. MITTAL)

Superintending Engineer(C&M)

(Issued from file No14/3/90/SE/CM)

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/146

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

13th

, November, 2000

### **AMENDMENT NO.8 TO GENERAL CONDITIONS OF CONTRACT FOR CPWD WORKS, 1998**

In supercession of O.M.No.DGW/CON/139 dated 27.4.2000, the following amendments are made to the General Conditions of Contract for CPWD Works, 1998. The amended conditions/clauses shall read as given hereunder. These amendments shall be inserted in all NITs which are issued or tenders recalled on or after 15.11.2000.

#### **1. Amendment to condition No.10 of CPWD-6:**

"The competent authority on behalf of President of India does not bind himself to accept the lowest or any other tender, and reserves to himself the authority to reject any or all of the tenders received without the assignment of a reason. All tenders, in which any of the prescribed conditions is not fulfilled or any condition including that of conditional rebate is put forth by the tenderer, shall be summarily rejected".

#### **2. Amendment to GENERAL RULES & DIRECTIONS;**

**Clause 4** Any person who submits a tender shall fill up the usual printed form, stating at what rate he is willing to undertake each item of the work. Tenders, which proposes any alteration in the work specified in the said form of invitation to tender, or in the time allowed for carrying out the work, or which contain any other condition of any sort including conditional rebates, will be summarily rejected. No single tender shall include more than one work, but contractors who wish to tender for two or more works shall submit separate tender for each. Tender shall have the name and number of the works to which they refer, written on the envelopes.

The rate(s) must be quoted in decimal coinage. Amounts must be quoted in full rupees by ignoring fifty paise and considering more than fifty paise as rupee one.

**CLAUSE 4A** In case of Percentage Rate Tenders, tenderer shall fill up the usual printed form, stating at what percentage below/above (in figures as well as in words) the total estimated cost given in Schedule of Quantities at Schedule-A, he will be willing to execute the work. Tenders, which propose any alteration in the work specified in the said form of invitation to tender, or in the time allowed for carrying out the work, or which contain any other condition of any sort including conditional rebates, will be summarily rejected. No single tender shall include more than one work, but contractors who wish to tender for two or more works shall submit separate tender for each. Tender shall have the name and number of the works to which they refer, written on the envelopes.



(S.K. MITTAL)  
SUPERINTENDING ENGINEER(C&M)

File No.CSQ/SE/CM/32/5/99

Copy forwarded as per mailing list attached.



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

**No. DGW/CON/147**

**ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS**

NIRMAN BHAWAN, NEW DELHI

11th December, 2000


Sub: Composite contracts – Instructions for award of.

In partial modification of DG(W) circular No. DGW/CON/95 dated 17<sup>th</sup>/30<sup>th</sup> April, 1996, it has been decided by DG(W) that henceforth ADG of the Region shall have full powers to decide about call of composite tenders. However, specialised items like Sub station equipment, Lifts, Air conditioning, Fire fighting equipment, Automatic fire alarm system etc., should be called on separate tenders.

Accordingly para 2 of Circular No. DGW/CON/95 may be read as under:

"For works whose combined estimated cost put to tender exceeds the power of acceptance of tender of Chief Engineer, prior approval of the concerned ADG of the Region shall be obtained before calling composite tenders."

Other instructions with regard to operation of composite contracts shall be same as mentioned in DGW/CON/84 dated 30.6.1995 and DGW/CON/95 dated 17/30.4.96.

  
(V.K. JAYASWAL)

SUPERINTENDING ENGINEER(C&M)

(Issued from file No.36/1/98/SE(C&M))

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/148

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

29th January, 2001

Subject: Grant of Exemption from payment of Earnest Money/Necessity of furnishing Fresh bond on revalidation - regarding.

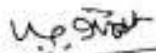
As per rules laid down, Contractors enlisted with CPWD are granted exemption from payment of Earnest Money with individual tender by virtue of Lump Sum Security Deposit. It is implied that the exemption granted on the basis of bond furnished is valid only as long as their enlistment remains valid. In other words, exemption granted from payment of Earnest Money has to be treated as co-terminus with the enlistment. Accordingly, when the contractors obtain revalidation of their enlistment, they have also to apply afresh for seeking exemption from payment of earnest money, even though their lump sum security deposit may be already available with the Department.

A case has come to the notice of the Directorate where on expiry of the existing enlistment, a contractor applied for revalidation of enlistment but did not apply for seeking exemption from Earnest Money on getting revalidation and continued to claim exemption from payment of earnest money granted earlier, which is not in keeping with the letter and spirit of the orders in force.

It is, therefore, enjoined upon all concerned to note that the exemption granted by the Department will automatically stand cancelled on expiry of enlistment and if the enlistment is got revalidated, the contractor shall apply afresh with a fresh bond for seeking exemption from payment of earnest money.

The tender issuing authorities shall accordingly ensure that the exemption from payment of Earnest Money is availed of only by those contractors who produce such documentary evidence of exemption granted subsequent to the revalidation of their enlistment.

This issues with the approval of D.G.(W).

  
(V.S. DIXIT)  
Chief Engineer (CSQ)

(Issued from file No. Exmt/Misc./2001/Validity(FO to DGW)

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

DGW/CON/149

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

6<sup>th</sup> February, 2001

### REGISTRATION OF CONTRACTOR IN C.P.W.D

For registration in Class V (B&R), Class IV(EI.) and Class IV (Furn), contractors are required to submit working capital certificate of Rs.50,000/-, Rs. 25,000/- and Rs.25,000/- respectively. For S/C & S/T contractors, this limit is Rs.15000/- for all these categories

It has now been decided by the competent authority that for labour Co-operative Societies, who wish to get enlisted in Class V(B&R), Class IV(EI.) and Class IV (Furn) categories, the requirement of working capital certificate shall be of Rs.10,000/- only.

The labour Co-operative Societies should be registered in the District and approved for the purpose by the Registrar of Co-operative Societies.

(S.K. MITTAL)

SUPERINTENDING ENGINEER(C&M)

Issued from file No.18/2/98/SE(C&M)

Co rded as per mailing list overleaf





# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/150

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

20th February, 2001

Subject: Grant of Exemption from payment of Earnest Money/Necessity of furnishing Fresh bond on revalidation-date of applicability of DGW/CON/148.

In this office Office Memorandum No. DGW/CON/148 dated 29 th January, 2001, it was enjoined upon all concerned to note that the exemption granted by the Department will automatically stand cancelled on expiry of enlistment and on revalidation, the contractor shall apply afresh with a fresh bond for seeking exemption from payment of earnest money.

The tender issuing authorities shall accordingly ensure that the exemption from payment Earnest Money is availed of only by those contractors who produce such documentary evidence of exemption granted subsequent to the revalidation of their enlistment.

As the OM came into operation with immediate effect, difficulties were experienced by many contractors, who suddenly found themselves unable to participate in the tender process as, they were not having the facility of claiming exemption of payment of Earnest Money. Requests are being received to extend the operation of circular No DGW/CON/148.

In view of the genuineness of the request, it has been decided to defer the operation of DGW/CON/148 till 1/5/2001.

All Contractors, who were exempted from depositing earnest money with individual tenders and who have got their enlistment revalidated may be advised to apply afresh for granting exemption.

(V.S. Dixit)

Chief Engineer(CSQ)

(Issued from file No. Exmt/Misc/2001/Validity(FO to DGW)

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

DGW/CON/151

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

23rd February, 2001

### ISSUE OF TENDERS TO CONTRACTORS IN UTTRANCHAL, JHARKHAND & CHHATISGARH

As per provision in Manual Vol.II Para 19.9.1, tender schedules for CPWD works can be issued to the contractors registered with the State P.W.D's in appropriate class (for CPWD works within that State).

Recently, three new States have been created namely, Uttranchal, Jharkhand and Chhatisgarh. As system of enlistment of contractors in these States will take some time, it has been decided by DG(W) that contractors enlisted in the parent States i.e. Uttar Pradesh, Bihar and Madhya Pradesh may be allowed to participate in tenders in Uttranchal, Jharkhand and Chhatigarh respectively till 31.12.2001.

  
(S.K. MITTAL)

SUPERINTENDING ENGINEER(C&M)

File No.18/2/98/SE(C&M)

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICEMEMORANDUM

No. DGW/CON/154

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

12th, JULY, 2001

### **AMENDMENT NO.1 TO GENERAL CONDITIONS OF CONTRACT FOR CPWD WORKS 2001 - AMENDMENT TO CLAUSE 17**

The following para is added at the end of Clause 17 of the General conditions of contract to CPWD works-2001 regarding refund of security deposit to the contractors in respect of Maintenance and operation works of E&M services as per minutes of the meeting of Technical Board held on 15.2.2001 and 16.2.2001 at New Delhi. The amendment shall be incorporated in all NITs issued on or after 1.8.2001:

"In case of Maintenance and Operation works of E&M services,, the security deposit deducted from contractors shall be refunded within one month from the date of final payment or within one month from the date of completion of the maintenance contract whichever is earlier."

(J.P. GUPTA)  
SUPERINTENDING ENGINEER(C&M)

Issued from file No.18/1/2001/GCC/SE(C&M)  
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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/ 155

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

19<sup>th</sup> July, 2001

### **APPROVAL OF CONTRACTORS FOR SPECIALISED ELECT. JOBS**

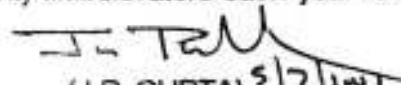
Attention is invited to Office Memo. No. DGW/CON/109 dated 11.7.97.

Pre-qualification requirement for approval of contractors in the category of "Lift/Elevators Works" in CPWD under para 19.5 of CPWD Manual Vol.II.

In partial modification of pre-qualification criteria in the category of "Lift/Elevators works" under group-A Para-I Sub para 1 are modified as under:

I. The contractors - Manufacturers of lifts/Elevators seeking approval under group-A should have fulfilled the following pre qualification criteria.

1. Contractors/Manufacturers of lifts/Elevators should have executed satisfactorily at least 3 installations of value not less than Rs.50 lacs each during the last five years and also should be maintaining satisfactorily at least twenty lifts/elevators each year for the last five years.

  
(J.P. GUPTA) 5/7/01

SUPERINTENDING ENGINEER(C&M)

Issued from file No.14/7/96-SE(C&M)

Copy to:

1. All ADGs
2. All CEs (Elect.)
3. All SEs(Elect.)
4. All EEs (Elect.)



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICEMEMORANDUM

No. DGW/CON/156

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAVAN, NEW DELHI

17 August, 2001

### WITHDRAWAL OF EXEMPTION FROM DEPOSITING EARNEST MONEY

Rules for enlistment of contractors in CPWD-2001 have been issued vide O.M.No.DGW/CON/153 dated 26.3.2001. These rules do not provide for exemption of depositing earnest money with individual tenders by the contractors. As such all enlisting authorities are hereby advised that henceforth no exemption of earnest money against lump sum deposit is to be mentioned in the enlistment/ revalidation orders.

(J.P. GUPTA)  
SUPERINTENDING ENGINEER(C&M)

Issued from file No 18/4/98/SE(C&M)  
Copy forwarded to:  
All ADGs/CEs/SEs of CPWD.



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/157

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

21 AUGUST, 2001

### MODIFIED RULE 19.1.1 & 19.1.4 OF "RULES FOR ENLISTMENT OF CONTRACTORS IN CPWD, 2001"

Rules no. 19.1.1 and 19.1.4 of **Rules for Enlistment of contractors in CPWD, 2001** issued vide O.M.No.DGW/CON/153 DATED 26.3.2001 are substituted AS UNDER:

19.1.1 The Contractor shall apply for revalidation for his enlistment in the prescribed form "Annexure VIII" alongwith all documents as per Annexure IX so as to reach the Enlistment Authority at least 6 months before expiry of his enlistment.

The revalidation application with all documents shall however be accepted upto the date of expiry of enlistment with late fee.

The late fee in the manner prescribed above shall apply to the contractors whose date of expiry of enlistment is 1.1.2002 and beyond. For cases with expiry date earlier than 1.1.2002 the late fee shall not be charged so long the contractor has applied for revalidation upto the date of expiry of his enlistment.

19.1.4 On receipt of application for revalidation complete in all respects and with all necessary documents provisional extension upto six months from the date of expiry of the enlistment / date of issue of order, whichever is later, may be issued.

  
Superintending Engineer(C.&M.)

(Issued from file No.18/4/98/SE/CM)

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/ 158

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI


6.9.2001

### AMENDMENT TO CONCESSION TO SC/ST CONTRACTORS

Para (i) of DGW O.M No.DGW/CON/144 dated 18.9.2000 for concession to SC/ST contractors is amended as below.

Para (i) Copies of Notice Inviting Tenders (PWD 6) for works costing upto Rs.2 lakhs (two lakhs) may be sent to CPWD/PWD SC/ST contractors Welfare Association (Regd.), B-1/23, Kiran Garden, Uttam Nagar, New Delhi-110059 by Registered post

This will be applicable with immediate effect.

  
( J.P.Gupta )  
Superintending Engineer(C&M)

Issued from file No.15/1/96(Vol.2)/SE/CM

Copy forwarded to:

1. National Commission for SC/ST, 5<sup>th</sup> floor, Lok Nayak Bhawan, New Delhi.
2. As per mailing list attached,



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DOW/CON/ 159

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAVAN, NEW DELHI

7<sup>th</sup> September 2001

**Sub: Composite contracts - Instructions for award of.**

In supersession of all previous Circulars on the above subject revised instructions are issued with regard to operation of Composite Contracts.

It has been decided that composite tenders shall be called for works where the combined estimated cost of different components put to tender exceeds Rs. two crores.

Composite Tenders can also be called for works where the combined estimated cost put to tender is Rs.1 crore or less at the discretion of the Chief Engineer or where it is a requirement of the client or the funding agency.

- i) Items of special nature like sub station equipment, lifts, Generating sets, Centralised air conditioning system, heating and ventilation system, furniture, furnishing and decorations or any other work of specialised nature which is to be excluded as per decision of authority which approved the main preliminary estimate may not be included in the composite tenders.
- ii) Detailed estimates for different components will be technically sanctioned by the competent authority of the respective discipline.
- iii) Draft tender documents comprising of Schedule 'A' to 'F' of "General Conditions of Contract for C.P.W.D. Works, 2001", special conditions/Specifications and drawings etc., shall be prepared separately for each component and approved by competent authority of the respective discipline.



iv) The authority competent to approve NIT for the combined cost and belonging to the major discipline will consolidate NIT's for calling the tenders. He will also nominate Division which will deal with all matters relating to the invitation of tenders.

v) The advertisement and form PWD 6 for composite tender, besides indicating the combined estimated cost put to tender, should clearly indicate the estimated cost of each component separately. The eligibility of tenderer will correspond to the combined estimated cost of different components put to tender.

vi) C.P.W.D. Form 6 should also clearly state that:

a) The tenderer must associate with himself agencies of the appropriate class eligible to tender for the other components individually.

b) It will be obligatory on the part of the tenderer to sign the tender documents for all the components. (The schedule of quantities, conditions and special conditions etc.)

c) After the work is awarded, the contractor will have to enter into separate agreements for each component with the Officer concerned.

vii) The Executive Engineer Incharge of the major component will call tenders for the composite work. The cost of tender document and Earnest money will be fixed with respect to the combined estimated cost put to tender for the composite tender. Security Deposit will be worked out separately for each component corresponding to the estimated cost of the respective component of works. The Earnest Money will become part of the security deposit of the major component of work.

viii) On acceptance of the composite tender by the competent authority the letter of award will be issued by the Executive Engineer Incharge of the major component on behalf of the President of India, making it clear in the letter of award that the contractor will have to execute separate agreements for different components of work with the concerned Officers of the respective discipline (Designation to be given).

Para 17.16.1 of C.P.W.D. Manual Vol.II will be amended in due course.

  
05/9/2001  
SUPERINTENDING ENGINEER(C&M)

(Issued from file No.36/1/98(C&M))

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/ 160

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

DATED 22-10-2001

**AMENDMENT NO. 2 TO GENERAL CONDITIONS OF CONTRACT FOR CPWD WORKS 2001 AND FORM CPWD-6 - AMENDMENT TO PARA 1.3.2 CRITERIA OF ELIGIBILITY FOR ISSUE OF TENDER DOCUMENTS.**

As per the provisions in DGW O.M.No.DGW/MAN/65 dated 4.4.2001 and O.M.No.DGW/MAN/76 dated 28.9.2001 for 'Sale of tenders', para 1.3.2 of CPWD-6 of General conditions of contract for CPWD works,2001 and Notice Inviting tender form CPWD-6 regarding criteria of eligibility for issue of tender documents is amended to read as below. Rest of para 1.3 shall remain as it is.

**Para 1.3.2: For works estimated to  
Cost above Rs. 2 crores  
But upto Rs.5 crores**

**"Three similar works each of  
value 40% of estimated cost  
or two works of 50% cost or  
One work of 80% estimated  
Cost (rounded off to nearest  
Rs.10 lacs) in the last 7 years  
ending last day of the month  
previous to the one in which  
the tenders are invited.**

**(NOTE: Class - II contractors of CPWD shall also be eligible if they satisfy  
the criteria specified in 1.3.2 above)"**

The Hindi version of the para 1.3.2 of the said document/form may also be read to contain the above amendment.

  
(J.P. GUPTA) 17/10/2001  
SUPERINTENDING ENGINEER(C&M)

Issued from file No.18/1/2001/GCC/Superintending Engineer(C&M)

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The Public enterprises which avail benefit of the purchase preference should be subjected to adequate penalties for cost overruns etc.

This supercedes DGW/CON/121 dated 18.5.98 ,DGW/CON/130 dated 18.5.99, Amendment to condition No. 10 of CPWD 6 issued vide OM No. DGW/CON/146 dated 13.11.2000.

  
(J.P.Gupta)

Superintending Engineer ( C&M )

Issued from file no. CSQ/SE/CM/32/5/99

Issued as per mailing list attached.



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/161

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

23-10-2001

### **PURCHASE PREFERENCE FOR PRODUCTS AND SERVICES OF CENTRAL PUBLIC SECTOR ENTERPRISES**

Copy of OM No. DPE/13(3)/2000-Finance-GL30 dated 14.9.2000 of Government of India, Ministry of Heavy Industries and Public Enterprises, Department of Public Enterprises is enclosed for information and guidance in so far as it relates to the contracts awarded in CPWD.

In consonance with the Government instructions in the above OM, in case of all tenders/quotations to be received in CPWD on or before 31.3.2002 for purchases and services worth more than Rs.1 crore, the following clause may be incorporated in the NIT/Agreement :

#### **Amendment to Condition No.10 of Form CPWD 6**

The competent authority on behalf of the President of India does not bind himself to accept the lowest or any other tender and reserves to himself the authority to reject any or all of the tenders received without the assignment of any reason. All tenders in which any of the prescribed condition is not fulfilled or any condition including that of conditional rebate is put forth by the tenderer shall be summarily rejected.

The competent authority also reserves its right to allow to the central government public sector enterprises / joint ventures with PSEs with a minimum value added content of over 20% by the later, a purchase preference with reference to the lowest valid price bid where the quoted price is within 10% of such lowest price, other things being equal in case of tenders / quotations whose date of receipt is upto 31.3.2002, subject to the estimated cost being in excess of Rs One crore.



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/ 162

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

19-11-2001

Sub: Publicity of tender.

In DGW/MAN/42 dated January 5, 2000, instructions were issued that a register shall be maintained in the Divisional Office and all NIT's, whether issued by the sub division or the division shall be assigned a serial number from that register in the form of 'X' of 'Y' where 'X' is the serial number of the NIT issued in a particular financial year and 'Y' represents that financial year. The NIT register was to be made available to the contractors for perusal during a fixed time on working days and also to higher authorities during inspection. Sending copies of NITs to Contractors' Associations was discontinued.

This office memorandum No. DGW/MAN/42 dated 5.1.2000 was challenged in the Delhi High Court by one of the Contractors' Associations and the Hon'ble Court passed an interim order to continue with the past practice which included despatch of NITs to Contractors' Associations directly till the arrangement of publicity of tenders through a web site was put to practice. In compliance with the above directions of the Hon'ble Court, instructions were issued in Office Memorandum No. DGW/MAN/59 dated February 5, 2001 to keep the earlier order No. DGW/MAN/42 dated 5.1.2000 in abeyance till further orders.

Instructions have been issued to send one copy of press notice for works costing more than Rs.25 lacs to M/s. Sugam Infotech Limited to publish the tender notices in web site [www.tenderhome.com](http://www.tenderhome.com) vide Office Memorandum No. DGW/MAN/66 dated 30.3.2001 in addition to sending notices for publication in press.



Subsequently instructions have been issued vide Office Memo. No. DGW/MAN/74 dated 7.9.2001 that notices for all tenders costing Rs.2 lacs and above shall be sent for publication on website in addition to publishing the same through press.

The Petitioner Contractors' Association has intimated the Court that they continue to receive registered envelopes which contain either nothing or something irrelevant but no NIT at all. The complaints of the petitioner are under investigation and instructions have been issued vide this office circular No. CSQ/Superintending Engineer(CM)/Court Case/WP/3363/2041 dated 30.10.2001 to ensure that proper NITs/NIQs are sent to the Contractors' Associations and any lapse in the matter will call for strong disciplinary action.

To further ensure wide publicity of tenders to ensure transparency, it has now been decided that in addition to sending copies of NITs to the Contractors' Associations, a register in the format and direction contained in DGW/MAN/42 dated January 5,2000 shall henceforth be maintained in all the Divisions.

Sending notices to press as well as website for all works costing Rs. 2 lacs and above shall continue as per direction of manual provisions contained in Section 18 as well as DGW/MAN/66 dated 30.3.2001 and DGW/MAN/74 dated 7.9.2001.

  
SUPERINTENDING ENGINEER(C&M)  
13/10/01

Issued from file No.S.E./CM/CSQ/3363/2000

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# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

NO. DGW/CON/163

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

10/12/2001

**SUB : Correction Slip to Clause 10CC & Schedule 'E' of CPWD Contract form 7/8**

1. Clause 10 CC sub para (iii) and (iv) shall stand amended and substituted as under :

(iii) Components of cement, steel, materials, labour, POL, etc., shall be pre-determined for every work & incorporated in the conditions of contract attached to the tender papers included in Schedule 'E'. The decision of the Engineer-in-Charge in working out such percentage shall be binding on the contractors.

(iv) The compensation for escalation for cement, steel, materials & POL shall be worked as per the formula given below :

a) Adjustment for component of 'cement'

$$V_c = W \times \frac{X_c}{100} \times \frac{CI - CI_0}{CI_0}$$

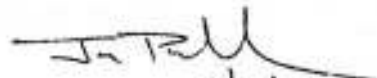
V<sub>c</sub> : Variation in cement cost i.e. increase or decrease in the amount in rupees to be paid or recovered.

W : Cost of Work done worked out as indicated in sub-para (ii) of Clause 10CC

X<sub>c</sub> : Component of cement expressed as percent of total value of work

CI : All India Wholesale Price Index for cement for the period under consideration as published by the Economic Advisor to Govt. of India, Ministry of Industry & Commerce

CI<sub>0</sub> : All India Wholesale Price Index for cement as published by the Economic Advisor to Govt. of India, Ministry of

  
10/12/01

Industry & Commerce as valid on the last stipulated date of receipt of tenders including extension, if any

b) Adjustment for component of **'Steel'**

$$V_s = W \times \frac{X_s}{100} \times \frac{SI - SI_0}{SI_0}$$

$V_s$  : Variation in steel cost i.e. increase or decrease in the amount in rupees to be paid or recovered

$W$  : Cost of work done worked out as indicated in sub-para (ii) of Clause 10CC.

$X_s$  : Component of steel expressed in percent to the total value of work.

$SI$  : All India Wholesale Price Index for steel (bars & rods) for the period under consideration as published by Ministry of Industrial Development, Govt. of India, New Delhi.

$SI_0$  : All India Wholesale Price Index for Steel (bars & rods) published by Economic Advisor to Govt. of India, Ministry of Industry & Commerce as valid on the last stipulated date of receipt of tender including extension, if any.

c) Adjustment for component of **'materials'**

$$V_M = W \times \frac{X_M}{100} \times \frac{MI - MI_0}{MI_0}$$

$V_M$  : Variation in material Cost i.e. increase or decrease in the amount in rupees to be paid or recovered

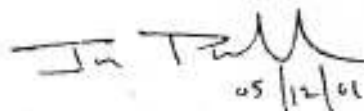
$W$  : Cost of work done worked out as indicated in sub para (ii) of clause 10CC

$X_M$  : Component of 'materials' expressed as percent of the total value of work

$MI$  : All India Wholesale Index for all commodities for the period under consideration as published by the Economic Advisor to Govt. of India, Ministry of Industry & Commerce.

$MI_0$  : All India Wholesale Index for all commodities is valid on the last stipulated date of receipt of tender including extension, if any., as published by the Economic Advisor to Govt. of India, Ministry of Industry & Commerce.

d) Adjustment for component of POL

  
05/12/01

$$V_f : W \times \frac{Z}{100} \times \frac{FI - FI_0}{FI_0}$$

$V_f$  : Variation in cost of Fuel, Oil & Lubricant i.e., increase or decrease in the amount in rupees to be paid or recovered.

$W$  : Cost of work done worked out as indicated in sub-para (ii) of Clause 10CC.

$Z$  : Component of Fuel, Oil & Lubricant expressed as per cent of the total value of work.

$FI$  : All India Wholesale Price Index for Fuel, Oil & Lubricant for the period under consideration as published by Ministry of Economic Advisor to Government of India, Ministry of Industry & Commerce, New Delhi.

$FI_0$  : The All India Wholesale Price Index for Fuel, Oil & Lubricant valid on the last stipulated date of receipt of tender including extension if any.

2. The schedule 'E' of the general conditions of contract shall be accordingly amended as under :

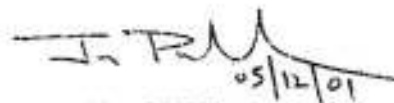
#### **SCHEDULE 'E'**

Schedule of component of cement, steel, other materials, labour etc for escalation

#### **CLAUSE 10CC**

Component of Cement 'Xc'	%
Component of Steel 'Xs'	%
Component of Material 'Xm'	%
Component of Labour 'Y'	%
Component of POL 'Z'	%

These components will be expressed as percent of total value of work

  
05/12/01

(J.P. GUPTA)

↓ SUPERINTENDING ENGINEER(C&M)

Issued from file No.S.E./S&S/Modification of 10 CC

Copy forwarded as per mailing list attached..



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/164

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

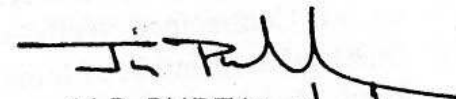
BH Jan. 2002

**SUB : Concessions to SC/ST Contractors & Labour Co-operative Societies.**

Concessions in working capital certificates for SC/ST contractors as well as for Labour Co-operative Societies for registration in Class-V(B&R), Class IV(Elect) and Class-IV(Fur.) were issued vide O.M. No. DGW/CON/149 dated 6.2.2001.

Rules for enlistment of contractors in CPWD-2001 were issued vide O.M. No. DGW/CON/153 dated 26.3.2001.

It is clarified that concessions as given in DGW/CON/149 dated 6.2.2001 shall be continued as well.

  
(J.P. GUPTA) - 2/01/02

Superintending Engineer(C&M)

12/1/02

[Issued File No. 18/4/98/SECC&M]

Copy forwarded as per marking list attached



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No.DGW/CON/ 165

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAVAN, NEW DELHI DATED 6.2.2002

**PRICE PREFERENCE TO CONTRACTORS BELONGING TO  
SC/ST FOR AWARD OF CONTRACTS IN RESPECT OF WORKS IN  
CENTRAL PUBLIC WORKS DEPARTMENT**

In continuation to this Directorate O.M.No.DGW/CON/152 dated 8.3.2001 the concessions admissible to the contractors belonging to SC/ST have been reviewed by the Ministry of Urban Development & Poverty Alleviation and the same have been revised as under:-

- i) For works upto an estimated cost of Rs. 80,000/- a price preference upto 5% may be allowed in favour of individual SC/ST contractors. In such cases, tenders may be entertained even from non-registered contractors. No earnest money is required in such cases.
- ii) For works of estimated cost ranging from Rs.80,000/- to 2 lakh, tenders may be obtained only from registered contractors. The price preference upto 5% may be allowed in favour of individual SC/ST contractors. However, earnest money at a reduced rate of ½% may be accepted in such cases.
- iii) In all such cases, the above concessions shall be allowed only after proper verification of the individual contractor's claim of belonging to a SC or ST community, as the case may be.

These concessions will be admissible upto 31.12.2003.

This issues with the concurrence of Finance Division of Ministry of UD&PA.

31.12.2001  
(J.P. GUPTA)  
SUPERINTENDING ENGINEER(C&M)  
30/1/2002

File No. CSQ/SE/CM/18/2/98

Copy forwarded as per mailing list.

**Government of India  
Directorate General of Works  
Central Public Works Department  
C.S.Q. Organisation  
Contract and Manual Unit  
Nirman Bhavan, New Delhi.**

**Office Memorandum**

**DGW/CON/ 166**

**NIRMAN BHAVAN NEW DELHI**

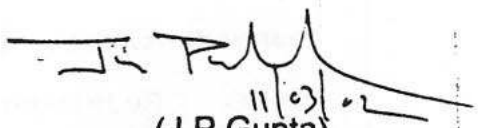
**13 March, 2002**

**Subject : Exemption from payment of earnest money with individual tender.**

It is brought to the notice of all concerned in the department to honour the Court interim Order dt. 14.02.02 in Writ Petition CW PNO. 1123/2002 and CM P No. 1843/2002, Hon'ble Delhi High Court has directed that department will not insist for payment of separate earnest money in case a Lump Sum money or a fixed deposit is available with the department. A copy of Court Judgement is enclosed.

Encl: As stated above

Issued from File 18/4/98/SE(CM)

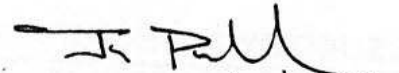
  
(J.P. Gupta)  
Superintending Engineer (C&M)

Copy forwarded as per mailing list



The Public enterprises who avail benefit of the purchase preference should be subjected to adequate penalties for cost overruns etc.

This supercedes O.M.Nos. DGW/CON/121 dated 18.5.98, DGW/CON/130 dated 18.5.99 and DGW/CON/161 dated 23.10.01. Amendment to condition No. 10 of CPWD 6 issued vide O.M.No. DGW/CON/146 dated 13.11.2000.



(J.P.GUPTA) 5/8/02

SUPERINTENDING ENGINEER(C&M)

Issued from File No.CSQ/S.E.(CM)/32/5/99

Issued as per mailing list attached

Government of India  
Directorate General of Works  
Central Public Works Department  
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CEW/CON/1

New Delhi, dated 1.2.87

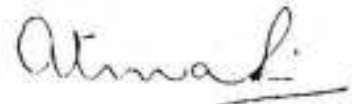
OFFICE MEMORANDUM

Subject: - Amendment to rules for enlistment of contractors in  
C.P.W.D. - Creation of new Class-IA(B&R).  
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Reference is invited to this Directorate Office Memo No.CE/Con/838 dated 24.1.1986, partially modified vide Office Memos No.CE/Con/844 dated 30.7.1986, CE/Con/849 dated 5.11.1986 where under it was decided that tenders for works costing more than Rs.1 crore should not be issued to Class-I(B&R) contractors w.e.f. 1.2.87.

It has further been decided by the Director General of Works to extend the effective dated from 1.2.1987 to 1.7.1987.

Tenders to Class-I(B&R) contractors may now be sold upto 30.6.1987 without limit.



(G.S. SIDHU)  
F.O. to DG(Works)

Copy to:-

1. All CEs/SEs in CPWD (including Horticulture Directorate, Delhi Admn., and Arunachal Pradesh).
2. All EEs(Civil) in CPWD (including Horticulture Directorate, Delhi Admn. and Arunachal Pradesh).
- They are requested to bring the contents of this Memorandum to the notice of all Class-I(B&R) contractors working under their Divisions against proper acknowledgement.
3. The Central Builders Association (Regd.), 44/1, Regal Building, New Delhi.
4. Builder's Association of India, G-1/G-20, Commerce Centre, 7th Floor, Tardeo, Bombay-400034.
5. F.O. to DDG(BW), Deptt. of Telecom., 6th Floor, Sanchar Bhavan, New Delhi-1.
6. CE(Civil) Construction Wing, AIB Sanchar Bhawan, New Delhi.
7. SE-in-Charge, AIBS, Ansari Nagar, New Delhi.
8. Engineer Member, BPA, Vikas Nagar, New Delhi.

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

20.4.87

No. DGW/CON/3

New Delhi, Date 20.4.87

MEMORANDUM

Subject:- Issue of materials not provided in the contract.

The Chief Technical Examiners Organisation while examining one of the works, has observed that the Executive Engineer procured the material required for executing a contract item from the Steel Authority of India Limited and issued it to the contractor free of cost, whereas according to the contract, these materials were to be arranged by the contractor. The contractor was paid extra item for labour charges. The above action of the Executive Engineer was not found to be in order.

In such cases following action would be appropriate:-

- i. Instead of procuring the material departmentally, the Department may render necessary assistance to the contractor in procurement of the material.
- ii. If under any circumstances the Department has to procure the material not stipulated to be issued to the contractor, the issue rate should be worked out in accordance with para 3(b), Section 27 of C.P.W.D. Manual Vol.II.
- iii. Free issue of non-stipulated material should be avoided.

(S. Nagarajan)

Asst. Director General of Works

(Issued from file No.17/18/85-VS-I)

To

1. All CEs/SEs in CPWD (including Horticulture Directorate, Delhi Admin., and Arunachal Pradesh).
2. All EEs in CPWD (including Hort., Directorate, Delhi Admin. and Arunachal Pradesh).

(6) ✓

Government of India  
Directorate General of Works  
Central Public Works Department  
-.-.-.-.-

No.CE/CCN/4

New Delhi, dated 2.4.87

OFFICE MEMORANDUM

Sub:- Issue of tender papers for specialised jobs to non-registered firms dealing with specialised jobs.  
-.-.-.-.-

Reference is invited to Para 3 Section 19 of the CPWD Mannual, Vol.II where a list of items which have been created as specialised items of works is indicated. The list was modified vide this office Memo No.CE/CON/770 dated 30th September, 1983.

It has been decided by the Director General of Works that the undermentioned item may be included also in that list.

"Fabrication of Hydraulic Platform".

*Atmal*

(A.S. SIDHU)  
F.O. to DG(Works)  
*ve*

To

1. Ministry of Urban Development, New Delhi.
2. The CCA & F.A., C.P.W.D., New Delhi (With 3 spare copies)
3. All SEs/EEs/SSWs in CPWD.
4. Chief Technical Examiner, CVC, New Delhi (3 copies).
5. All CEs in CPWD including Director Training, DAZ & APZ.
6. CWBd Section in C.P.W.D.
7. Chief Engineer PWD/Govt. of Goa, Daman & Diu, Panaji, Goa-403001.
8. Engineer Member, DDA, Vikas Minar, New Delhi.
9. Director, Indian Copperative Mission, PB No.142, Kathmandu, Nepal.
10. Chief Engineer, Ministry of Development, PWD, Bhutan.
11. The Joint Secretary, Govt. of Pondichary, PWD Sectt., Pandichary.
12. Director of Audit, CW&M, New Delhi.
13. All CEs(Val.) of Income Tax Department.
14. Director of Accounts, Works Audit Section Dte. of Accounts, Panaji, Goa.
15. Chief Engineer(I&F), Delhi Administration Old Sec., Delhi.

(7) ✓

Government of India  
Directorate General of Works  
Central Public Works Department  
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21 APR 1987

No. DGW/CON/5

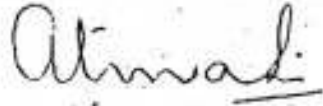
New Delhi, dated .4.87

Subject:-Concession to Unemployed Engineers and their Societies  
in respect of award of works in the C.P.W.D.

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In continuation to this office Memo No. CE/Con/843 dated 6.5.1986, a copy of Ministry of Urban Development (Works Division) letter No. 28012/46/85-W4 dated 20.3.1987 on the above noted subject, is forwarded for information and necessary action.

Encls:- As above.

  
(A.S. SIDHU)  
F.O. to DG(Works)

To

1. All CEs/SEs in CPWD (including Horticulture Directorate, Delhi Admn., and Arunachal Pradesh).
2. All SEs in CPWD (including Horticulture Directorate, Delhi Admn. and Arunachal Pradesh).
3. F.O. to DGG(BM), Deptt. of Te<sup>l</sup> com., 6th Floor, Sanchar Bhavan, New Delhi.
4. CE(Civil) Construction Wing, AIR Samachar Bhawan, New Delhi.
5. SE-in-Charge, AIIMS, Ansari Nagar, New Delhi.
6. Engineer Member, DDA, Vikas Minar, New Delhi.
7. Director of Audit, CWd, New Delhi.
8. Municipal Engineer, MCD, Town Hall, New Delhi.
9. Chief Technical Examiner, CVC, New Delhi (3 copies).
10. Chief Engineer, Ministry of Development, PWD, Bhutan.
11. Arbitration Cell, Ministry of Urban Development.
12. Director of Accounts, Works Audit Section Directorate of Accounts, Panaji, Goa.
13. Chief Engineer (Irrigation and Flood), Delhi Admn. Old Secctt., Delhi.
14. Director, Light House and Light Ship, Ministry of Shipping and Transport, East Block, R.K. Puram, New Delhi.
15. The Jt. Secretary, Govt. of Pondicherry, PWD Secctt. Pondicherry.
16. The CE & Administrator, Andaman & Lakshdweep, Harbour Works Port Blair.
17. Shri K.K.Khanna, C/o Post Box No. 284, Market Road, N. Delhi.
18. Institute Engineer, IIT, Hauz Khaz, New Delhi-16.
19. University Engineer, University of Delhi, Delhi-7.
20. Engineer-in-Chief, Army Headquarter, Kashmir House, N. Delhi.
21. Chief Engineer, NDMC, New Delhi.
22. CWBd and Security Section, Central Office, New Delhi.
23. C.C.A., Ministry of Urban Development.

(Issued from File No. 14(4)/85-AdC(DGW).)



Government of India  
Directorate General of Works  
Central Public Works Department

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No. DG(W)/CON/6

New Delhi, dated 16.7.87.

Sub:- Anti-termite treatment works.

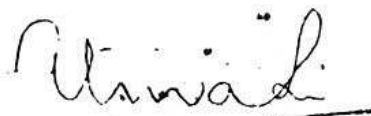
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Instructions were issued vide this office Office Memo. No. CE/CON/743, dated 20.3.1982 that anti-termite treatment work should invariably be executed departmentally. It was also stipulated that due to special reasons the work cannot be executed departmentally, in rare cases SEs/EEs should obtain permission in writing from the Zonal Chief Engineers to get the work executed through specialized firms approved by the Zonal Chief Engineers.

It has now been decided that SEs/EEs can procure materials required for anti-termite treatment from reputed and authorised dealers under their own powers (and satisfy about the quality of the Chemicals by tests), and execute the works of anti-termite treatment on labour contracts through specialized firms, duly approved by Zonal Chief Engineers. SEs/EEs are further advised to exercise strict control on the quantity of materials used and quality of workmanship and ensure that the treatment is effective.

This issues with the approval of ADG(Works).

(Issued from File No. 14/26/69-AccC(DGW))

  
(A.S. SIDHU)  
F.O. to DG(Works)

To

1. All CEs.
2. All SEs, SOWs & all Directors of Hort. CPWD.
3. All EEs and all Dy. Directors of Hort. CPWD.
4. CE(P&T) Civil, New Delhi (with 30 spare copies).
5. CE(Constn.) All India Radio, New Delhi (with 20 Spare copies).
6. C.W.Bd., CC, CPWD, New Delhi.
7. P.S. to DG(Works).
8. P.S. to F.O. to DG(Works)



11

DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT.  
-.-.-.-.-

No.DGW/CON/9

New Delhi, Dated the 15.9.87.

Subject:- Verification of eligibility and technical capability etc. of contractors enlisted in MES/Railways/State PWDs for Tendering in CPWD.  
-.-.-.-.-

Attention is invited to Para 3(i)(c) of Government of India's order below Para 7 under Section 118 (circulated vide CE/CON/692 dated 24.4.79) of C.P.W.D Manual Vol.II; which provides that sale of tenders to non-CPWD contractors for works costing Rs.25 lakhs and above should be restricted only to those contractors who have satisfactorily executed three works of Rs.10 lakhs each.

In partial modification of the above orders, it has now been decided that for works costing above Rs.25 lakhs and upto Rs.1 Crore, tenders may also be issued to eligible non-CPWD contractors provided that they have satisfactorily completed three works, each costing an amount equal to 30% of the estimated cost of the work for which tender is to be invited. This is further subject to the condition that value of each such works should not be less than Rs.15 lakhs.

In case of works estimated to cost more than Rs.1 Crore, tenders may be issued to eligible CPWD and non-CPWD contractors provided that they have satisfactorily completed three works individually costing Rs.50 Lakhs during the last five years.

(Hindi version will follow)

*A.S. Sidhu*  
(A.S.SIDHU)

Financial Officer to D.G(W)

(Issued from F.No.4/4/87-CWBd.)

To

1. All C.Es/S.Es in CPWD (including Horticulture Directorate, Delhi Admn. and Arunachal Pradesh).
2. All SSWs/S.Ws/EEs in CPWD (including Horticulture Directorate, Delhi Admn. and Arunachal Pradesh.)
3. The Central Builders Association(Regd.),44/1,Regal Building, New Delhi.
4. Builder's Association of India, G-I/G-20, Commerce Centre, 7th Floor, Tandeo, Bombay-400034
5. F.O to DDG(3W), Deptt. of Telecom.,6th Floor, Sanchar Bhawan, New Delhi-1

P.T.O.

GOVERNMENT OF INDIA  
DIRECTORATE CENTRAL PUBLIC WORKS DEPARTMENT  
CENTRAL PUBLIC WORKS DEPARTMENT

No. DGW/CON/10

New Delhi, dated 6 NOV 1987  
10.87

M E M O R A N D U M

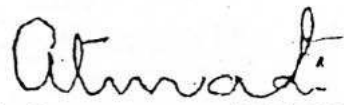
Sub:- Issue of departmental materials to contractors.

A case has been brought to the notice of this Directorate where, in a contract for work, certain quantities of M.S. Bars and G.I. Pipes were stipulated for issue by the Department. These materials were intended for use in the items of M.S. reinforcement and for water supply works respectively. The agreement for the work in question also contained items of providing & fixing M.S. Grills for windows and Stair case railings, which also required use of M.S. Bars & G.I. Pipes. Issue of departmental materials for these items was not accounted for while stipulating approximate quantities for issue by the department. The contractor was given M.S. Bars & G.I. Pipes for use in M.S. Grills & Stairs case railings at the store issue rates, though there was no provision for such a issue in the agreement.

In view of the above, all officers are advised to make sure that conditions for supply of departmental material are so explicit that no doubt or ambiguity is left and which may encourage the contractor ~~xxx~~ to derive undue financial benefit subsequently.

In case materials are intended for use on specific items of work, the fact should be suitably mentioned in the tender documents. The description of materials should also be specified. For example, if cement is issued, it should be stated whether it is grey cement or white cement and whether it will be in bags or otherwise.

Issued from File No. 11/2/87-A&C(DGW).



(A.S. Sidhu)

F.O. to D.G.(Works)

1. All CEs/SEs in CPWD (including Hrt. Directorate, Delhi Admn., and Arunachal Pradesh).
2. All EEs in CPWD (including Hrt., Directorate, Delhi Admn. and Arunachal Pradesh).

Government of India  
Directorate General of Works  
Central Public Works Department

21  
2 DEC 1987

No.DG/CON/13

New Delhi, dated .12.87

Office Memorandum

Subject:-Inclusion of design, fabrication and erection of Steel Towers in the list of Specialised items.

Reference is invited to this office Memorandum No.CE/CON/770, dated 30.9.83 declaring certain items of works as specialized jobs.

It has now been decided by DG(W) that "design, fabrication and erection of Steel Towers" should also be included in the list of specialised items of works for the purposes of inviting tenders from the firms specialised in the works under Para 3 Section 19 of C.P.W.D. Manual Vol.II.

*Atmadi*

(A.S. Sidhu)  
F.O. to D.G.(Works)

(Issued from file No.18/21/87-A&C(DGW). *h. AC*)

To

1. All CEs/SEs in CPWD (including Hord. Directorate, Delhi Admn. and A.P.)
2. All SEs in CPWD (including Hord. Directorate, Delhi Admn. and A.P.)
3. F.O. to DEG(BW), Deptt. of Telecom., 6th Floor, Sanchar Bhavan, New Delhi-1.
4. CE(Civil) Construction Wing, AIR Samachar Bhavan, N. Delhi.
5. SE-in-Charge, LIMS, Ansari Nagar, New Delhi.
6. Engineer Member, DM, Vikas Minar, New Delhi.
7. Director of Audit, CW&A, New Delhi.
8. Municipal Engineer, Municipal Corporation of Delhi, Town Hall, New Delhi.
9. Chief Technical Examiner, CVC, New Delhi (3 copies).
10. Chief Engineer, Ministry of Development, PWD, Bhutan.
11. Arbitration Cell, Ministry of Urban Development.
12. Director of Accounts, Works Audit Section Directorate of Accounts, P.W.D., Govt.
13. Chief Engineer(Irrigation and Flood), Delhi Administration Old Secctt., Delhi.

Contd...2/-

Government of India  
Directorate General of Works  
Central Public Works Department

22

No. DG(W)/CON/14

New Delhi, dated 1.3.88

M E M O R A N D U M

Subject:-Intimation to contractor regarding deposit of amount of arbitration Award in the competent court.

A case has come to the notice of this Directorate where the amount of an interest bearing arbitration award in favour of a contractor was deposited by the E.E. with the competent Court, for payment to the contractor after the award was made a rule of the court. This was apparently done to avoid further accrual of interest. However, the E.E. concerned did not send any intimation to the contractor about the amount having been deposited in the court.

The Hon'ble High Court of Delhi while delivering judgement in above case has inter-alia held as under:-

"A judgement-debtor is bound to satisfy a money decree either by paying the decretal amount to the decree-holder direct out of the court or by depositing the same in the Court which has a duty to execute the decree but in such latter case a duty is cast on the Judgement-debtor to serve a notice of such deposit on the decree-holder and the decree holder has a right to claim interest due under the decree from the judgment-debtor till the date of receipt of such notice".

The Hon'ble High Court therefore allowed further interest, for the period upto the date the contractor got notice of deposit during the trial of the case.

In view of the above decision, all concerned are directed the whenever amount of an arbitration award is deposited in court, an intimation to this effect should simultaneously be given to the contractor in order to avoid situations of the kind described above.

*Atmali*

(A.S. Sidhu)  
F.O. to DG(Works)

Issued from file No.1/1/88-A&C(DGW)

To

1. All CEs/SEs in CPWD (including Hort. Directorate, Delhi Admn. and A.P.)
2. All EEs in CPWD (including Hort. Directorate, Delhi Admn. and A.P.)

Contd...2/-

Government of India  
Directorate General of Works  
Central Public Works Department  
-.-.-.-.-

No. DGW/CON/15

New Delhi, dated 1.3.88

M E M O R A N D U M

Subject: ~~Kabaris~~ Unions - list of  
-.-.-

Reference:- This Office Memo. No. CE/CON/834 dated 16.7.87.  
-.-.-.-.-

The name of "Kabaris Union, J5/121 Rajauri Garden, New Delhi -110027", may also be included in the list circulated in this office Memorandum quoted above.

*Atmali*

(A.S. Sidhu)  
F.O. to DC (Works)/  
16/2

Issued from file No. 18/10/85-A&C(DGW)

To

All CEs/SEs/EEs/Dy. Director of Hort. in Delhi and New Delhi including PWD(DA).



6 APR 1988

No. D.G(W)/CON/17

New Delhi, dated 4.88

OFFICE MEMORANDUM.

Subject:- Expeditious scrutiny & disposal of tenders.

Attention is invited to Standing Order No. 233 - Amendment to Clause 22 of Form PWD 6, Circulated vide this Office Circular No. CE/CON/589 dated 26.6.74 which lays down that the tenders for works shall remain open for acceptance for the period as given below from the date of opening of tenders:-

- |       |  |              |
|-------|--|--------------|
| (i)   | For tenders to be accepted by Executive Engineer.      | .... 30 days |
| (ii)  | For tenders to be accepted by Superintending Engineer. | .... 60 days |
| (iii) | For tenders to be accepted by Chief Engineer.          | .... 90 days |

The above are the periods for which the contractor has to keep his tender open for acceptance. This is entirely different from the time schedule for scrutiny & disposal of tenders as laid down in Appendix 9 of CPWD Manual Vol. II. This time schedule is reproduced below:-

- |    |  |              |
|----|--|--------------|
| 1. | Tenders falling within the powers of AE/EE | .... 7 days  |
| 2. | Tenders falling within the powers of SE    | .... 17 days |
| 3. | Tenders falling within the powers of CE    | .... 27 days |

It has come to notice that in a number of cases tenders were not decided within the time schedules laid down in the manual, and the contractors had to be requested to extend the validity of their tenders for periods beyond those mentioned in para 1 above. This indicates failure to comply with the instructions laid down in the manual regarding the time schedules prescribed for scrutiny & disposal of tenders. Such delays in deciding tenders not only delay the execution of works, but also create an adverse impression about the Department. Prompt decision making on tenders is indispensable for proper works management.

DG(Works) has ordered that the time schedule laid down in the Manual for scrutiny and disposal of



tenders should be strictly adhered to except where adequate special reasons exist. In fact, efforts should be made to decide the tenders even in shorter periods than laid down in the time schedules. Any lapse in this matter on the part of any officer is likely to be viewed seriously.  
(Issued from file No.4/11/88-CWBd).

*A.S. Sidhu*  
(A.S. SIDHU)

Financial Officer to D.G. (Works)

To

1. All CEs/SBs in CPWD (including Hort. Directorate, Delhi Admn. and Arunachal Pradesh).
2. All EEs(Civil) in CPWD (including Horticulture Directorate, Delhi Admn. and Arunachal Pradesh.).
3. F.O. to DDG(BW), Deptt. of Telecom, 6th Floor, Sanchar Bhavan, New Delhi-1.
4. CE(Civil) Construction Wing, AIR Samachar Bhavan, New Delhi.
5. SE-in-Charge, AIIMS, Ansari Nagar, New Delhi.
6. Engineer Member, DDA, Vikas Minar, New Delhi.
7. Director of Audit, CW & M, New Delhi.
8. Municipal Engineer, Municipal Corporation of Delhi, Town Hall, New Delhi.
9. Chief Technical Examiner, CVC, New Delhi.
10. Chief Engineer, Ministry of Development, PWD, Bhutan.
11. Arbitration Cell, Ministry of Urban Development.
12. Director of Accounts, Works Audit Section Directorate of Accounts, Panaji, Goa.
13. Chief Engineer (Irrigation and Flood), Delhi Admn. ISBT Bldg., Delhi.
14. Director, Light House and Light Ship, Ministry of Shipping and Transport, East Block, R.K. Puram, New Delhi.
15. The Joint Secretary, Govt. of Pondichery, PWD Secctt., Pondichery.
16. The Chief Engineer & Administrator, Andaman & Lakshdweep, Harbour Works, Port Blair.
17. Shri K.K. Khanna, C/o Post Box No.284, Market Road, N. Delhi.
18. Institute Engineer, I.I.T., Hauz Khas, New Delhi-16.
19. University Engineer, University of Delhi, Delhi-7.
20. Engineer-in-Chief, Army Headquarter, Kashmir House, New Delhi.
21. Chief Engineer, NDMC, New Delhi.
22. CWBD and Security Section, C.O., New Delhi.
23. C.C.A., Ministry of Urban Development.
24. Shri K.K. Madan, Chief Engineer, M/o Environment & Forests, Paryawaran Bhavan, CGO Complex, Lodi Road, New Delhi-110003.

100 MAY 1985  
27  
51

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT.  
\* \* \* \* \*

DG(W)/CON/18.

Nirman Bhavan,  
New Delhi,  
Dated the,

Subject :- Submission of tenders for the approval of  
D.G.(W)/CWBD.

Ref :- CE/CON/814 dated 4.6.85.

While considering the tenders submitted by C.Es for approval of D.G(W)/C.W.Bd., it has been observed that information relating to rates at which works of similar nature were awarded in the recent past is not given in the brief submitted to D.G.(W)/C.W.Bd.

C.Es are requested to ensure, that while forwarding tenders to D.G(W)/C.W. Board for approval, the rates at which works of similar nature were awarded in recent past is invariably given.

(Issued from file No. 2/7/88-CWBD).



(A.S. SIDHU)  
Financial Officer to D.G.(Works)

To

1. All C.Es in the C.P.W.D.,
2. All the SEs/SSWs/Ex. Engineers in C.P.W.D.

Government of India  
Directorate General of Works  
Central Public Works Department

6 JUN 1988

No : DGW/CCN/22

New Delhi, the \_\_\_\_/6/1988

Sub : Enlistment of Class IV(Elect) Contractors.

.....

In partial modification of the existing rules for enlistment of contractors, it has now been decided that all Superintending Engineers(Elect.) of Electrical Circles, outside Delhi will enlist contractors in Class IV(Elect.), for the works falling within their jurisdiction. This enlistment will be for one or more stations as may be specified by the Superintending Engineer concerned. However, at Calcutta, Superintending Engineer, Calcutta Central Electrical Circle-I will only be authorised to enlist contractors in Class IV(Elect.) as per existing practice, for works under the jurisdiction of Superintending Engineer, Calcutta Central Electrical Circle-I & II.

( This issues from File No. 14/3/87-AGC(DGW) )

*P.C. Smt*  
( P.C. Smt )  
P.O. to D.G. (Works)

*[Signature]*

To

1. All Chief Engineers/Superintending Engineers/SSP/  
Executive Engineers/Directors & Dy. Directors of Hort./  
Project Managers in CPWD, PWD(A).

Government of India  
Directorate General of Works  
Central Public Works Department

.....

No : DGW/CON/ 25

New Delhi, the \_\_\_/2/1989

Subject : Forged enlistment orders.

.....

It has come to notice that attempts have been made to purchase tenders on the basis of forged enlistment orders alleged to have been issued under the signatures of Shri Harish Chandra, Chief Engineer, Delhi Central Circle, 'F'/Director General of Works. All Suptdg. Engineers/Executive Engineers are advised to ensure that genuineness of such orders may be got verified before issue of tenders.

In case of any doubt, Telephonic or personal enquires may please be made from the Registering authority. While making such enquiries, it should also be ensured that contractors having genuine documents are not harassed or put to any inconvenience.

(Issued from F.No.18/7/88-ACC(DGW))

*PC and*  
( P. C. Sar )  
F.O. to D.G(Works)

To

1. All CEs/SEs/SSWs/EEs/Dir. & Dy. Directors of Hort./ Project Managers in CPWD, PWD(DA).
2. Sr.-in-Chief, Army Head Quarters, Kashmir House, N. Delhi.
3. Chief Engineer, NDMC, New Delhi.
4. Municipal Engineer, MCD, Town Hall, New Delhi.
5. CE(Irrigation & Flood), Delhi Admn, ISBT Bldg., Delhi.
6. Institute Engineer, IIT, Hauz Khas, New Delhi-15.
7. University Engineer, University of Delhi, Delhi-7.
8. CE(Civil) Constn. Wing, AIR, Samachar Bv., N. Delhi.
9. F.O. to DDG(BW), Deptt. of Telecom., 6th Floor, Samachar Bv., N. Delhi.
10. SD-in-Charge, AIIMS, Ansari Nagar, N. Delhi.
11. Engineer Member, DDA, Vikas Minar, New Delhi.
12. Income Tax Officer, Contractors Circle, N. Delhi.
13. C&B & Security Section, C.O. N. Delhi.
14. P.A. to F.O.(OSD), CPWD, New Delhi.

Government of India  
Directorate General of Works  
Central Public Works Department  
.....

No : DG(W)/CON/27

Dated, New Delhi, to 18 /4/1989

M E M O R A N D U M

Sub : Department, issue of materials.

-al .....

1. In our contracts for works, materials are stipulated for issue by the Department without specifying the items for which the materials are to be issued. Non issue of stipulated materials, required for bonafide use on works for the items for which the quantities of such materials were not accounted for at the time of preparation of draft NITs, leads to disputes on one hand while on the other, the contractors are liable to get undue benefit if the materials are issued for the items of work for which the rates are based on the market rates.

2. To ensure unambiguous provision in future contracts regarding issue of stipulated materials, the following special condition shall be included in the draft NITs:

" Stipulated materials shall be issued for use at site on works, for all the items where such materials are required. For factory made products like precast cement tiles, precast hollow concrete blocks, precast foam concrete blocks, precast RCC pipes etc., stipulated materials shall not be issued".

3. For the justification of tenders, the issue rate (and not the market rate) of stipulated materials shall be considered for items where issue of materials is to be done, irrespective of the quantity of stipulated materials stated in the draft NIT/tender documents.

4. It should also be ensured that description of the materials to be issued should be adequately specified in order to obviate chances of any dispute. For example, if cement is specified for issue, it should be stated whether it is grey cement or white cement and whether it will be in bags or otherwise.

5. The above instructions supersede the instructions issued vide Memo. No. DGW/CON/10 dated 26.11.1987.

PC Sud  
( P. C. Sud )  
F.O. to D.G(Works)



23/7/88

Government of India  
Directorate General of Works  
Central Public Works Department

2

No : DGW/CON/ 28

New Delhi, the \_\_\_/7/1989

Sub : Laying down prequalification criteria in tenders for specialised items of works.

\*\*\*\*\*

1. Section 19 of CPWD Manual Vol. II indicates the various classes of specialised items of works. Tenders for specialised works are to be invited from specialised firms in the field in addition to the registered contractors. The circular No. CE/CON/709 dated 31.12.79 provides that the press notice and NIT for specialised work should indicate that previous experience in such works is necessary details of which should be appended by the contractors.

2. In this connection, following questions have arisen on the basis of experience gained by the execution of a number of specialised works in the department, and these are clarified as under:-

QUESTION

CLARIFICATION

and experience

i) Whether the requirement of experience and expertise in specialised fields concerned, will be applicable to the registered contractors.

The requirements of expertise is applicable to all intending tenderers viz. specialised firms as well as registered contractors. Tender papers should be issued only after ascertaining from them, about their expertise and experience in the specialised field concerned.

ii) Whether tenders could be issued to civil or electrical contractors irrespective of the nature of the specialised work, civil or electrical.

The issue of tender papers to civil and electrical contractors will be regulated by nature of work namely civil or electrical.

iii) Whether the details of experience should be appended with the application for the issue of tender papers by the intending tenderers.

Details and expertise should be appended with the applications for issue of tender papers by intending tenderers.



- |   |  |
|---|--|
| <p>iv) Whether prequalification criteria should be laid down in the press notice and NIT for specialised works.</p> | <p>Prequalification criteria should be indicated in the press notice and NIT for specialised items of works. The criteria may be decided by the officer approving the NIT.</p> |
| <p>v) Whether such prequalification criteria should be in monetary terms or in terms of quantum of work.</p>        | <p>The prequalification criteria could be either in monetary terms and/or in terms of quantum of work, as may be decided by the authority approving the NIT.</p>               |

*PC 5.2*  
 ( P.C. Sud )  
 F.O. to D.G(Works)

To

1. All CEs/SEs/EEs in CPWD(including Hort. Directorate, Delhi Admn. & A.P.)
2. F.O. to DDG(BW), Deptt. of Telecom., 6th Floor, Sambar Bhavan, New Delhi-1.
3. CE(Civil) Construction Wing, AIR, Sambar Bv., N. Delhi.
4. SE-in-Charge, AIIMS, Ansari Nagar, N. Delhi.
5. Engineer Member, DDA, Vikas Minar, N. Delhi.
6. Director of Audit, CW&M, New Delhi.
7. Municipal Engineer, Municipal Corop, of Delhi Town Hall, New Delhi.
8. Chief Technical Examiner, CVC, N. Delhi(3 copies).
9. Chief Engineer, M/o Development, CPWD, Bhutan.
10. Arbitration Cell, M/o U.D., N. Delhi.
11. Director of Accounts, Works Audit Section, Dte. of Accounts, Panaji, Goa.
12. Chief Engineer(Irrigation & Flood), Delhi Admn., ISBT Bldg., Delhi.
13. Director, Light House and Light Ship, M/o Shipping & Transport, East Block, R.K. Puram, N. Delhi.
14. The Joint Secretary, Govt. of Pondicherry, PWD Sectt., Pondichary.
15. The Chief Engineer & Administrator, Andaman & Ladshdweep, Harbour works, Port Blair.
16. Shri K.K. Khanna, C/o Post Box No. 234, Market Road, New Delhi.
17. Institute Engineer, I.I.T., Hauz Khas, N. Delhi-16.
18. University Engineer, University of Delhi, Delhi-7.
19. Engineer-in-Chief, Army Headquarter, Kashmir House, New Delhi.
20. Chief Engineer, NDMQ, New Delhi.
21. CWBd & Security Section, C.O., N. Delhi.
22. C.C.A., Ministry of Urban Development.

Government of India  
Directorate General of Works  
Central Public Works Department

5  
5 SEP 1989

No : DGW/CON/30

New Delhi, the 9/9/1989

OFFICE MEMORANDUM

Sub : Declaring laying of granite stone flooring as specialised job.

Reference is invited to Para 3 Section 19 of the CPWD Manual, Vol. II where a list of items which have/treated as specialised items of works is indicated. The list was modified vide this office Memo. No. CE/CON/770, dated 30.9.83.

It has been decided by the Director General of Works that the under-noted item may also be included in that list.

"Laying of granite stone Flooring".

(Issued From F. No. 19/4/87-Asst(DGW))

*P.C. Sud*  
( P. C. Sud )  
F.O. to D.G. (Works)

To

1. All CEs/SEs/FEs in CPWD (including Port. Dte. & D.A.)
2. F.O. to D.D.G.(PW), Deptt. of Telecom., 6th Floor, Sanchar Bv., New Delhi-1.
3. CE(Civil), Construction Wing, AIR, Sanchar Bv., N. Delhi.
4. SE-in-Charge, APMC, Ansari Nagar, N. Delhi.
5. Engineer Member, DDA, Vikas Minar, New Delhi.
6. Director of Audit, C&M, New Delhi.
7. Municipal Engineer, Municipal Corporation of Delhi, Town Hall, New Delhi.
8. Chief Technical Examiner, CVC, New Delhi (3 copies).
9. Chief Engineer, P/o Development, CPWD, Bhubar.
10. Director, Light House & Light Ship, M/o Shipping & Transport, East Block, P.K. Puri, New Delhi.
11. The Jt. Secretary, Govt. of Pondicherry, PWD Sectt., Pondicherry.
12. The CE & Administrator, Andaman & Lakshadweep, Harbour Works, Port Blair.
13. Shri K.K. Khanna, C/o Post Box No. 234, Market Rd. N. Delhi.
14. Institute Engineer, IIT, Hauz Khas, N. Delhi-16.
15. University Engineer, University of Delhi, Delhi-7.
16. Engineer-in-Chief, Army Headquarter, Kashmir House, N. Delhi.
17. Chief Engineer, NDMC, New Delhi.

Government of India  
Directorate General of Works  
Central Public Works Department

No: DGW/CON/31

New Delhi, dated 17/12/11

Memorandum

Sub: Appointment of Arbitrators.

.....

Arbitration Clauses in the Standard Contract Forms stipulate that arbitrators shall be appointed by the Chief Engineer, in charge of work at the time of dispute. A question was raised as to whether Chief Engineer(Elect) should appoint arbitrators.

2. The matter has been carefully examined in this office and the following instructions are given for guidance of all the Chief Engineers:

(1) In respect of claims arising out of the existing contracts, arbitrators shall be appointed by the authority mentioned in Clause 25 of the respective contracts. If there is no specific mention, the Chief Engineer in charge of the zone shall appoint the arbitrator.

(2) In future contracts in respect of electrical works, the wording of Clause 25 may be modified as under:

".....the Chief Engineer(E)I\*, II\*, (East)\*, (South-West)\*, in charge of work at the time of dispute."

(\* Delete whichever is not applicable.)

(3) In all cases, the concerned Chief Engineer(E) shall ensure timely preparation and submission of counter-statement of facts, counter-claims of the department and proper defence of the case. However, wherever claims involve any action/inaction on the part of the civil side, the CE(E) will take appropriate steps in consultation with CE(C) to ensure the best defence and safeguarding interests of the department as a whole.

3. These instructions may please be followed by all in future.

(P. RAVI DRANATHAN)  
DIRECTOR of WORKS(P&WA)

Issued from file No. 2/13/86-WII(DGW)

contd...2/-

Government of India  
Directorate General of Works  
Central Public Works Department

6.3.1990

No : DGW/CON/32

New Delhi, the 5.1.1990

M E M O R A N D U M

Sub : Preventive vigilance -regulation of recoveries for departmental materials.

1. Attention is invited to instructions issued vide Memo. No. CE/CON/811, dated 5.6.1985 and further clarifications issued vide Memo. No. CE/CON/842, dated 7.4.1986.
2. Some more queries have been received about the implementation of the instructions contained in the above Memoranda. Therefore, the instructions contained in Memo. No. CE/CON/842 are amplified as under.
3. In the case of tenders to be called on Form CPWD 8, there will not be any practical difficulty in showing the increased estimated cost by the addition of difference in the cost of departmental material at schedule rate and at the rates stipulated for issue in the M.I.T..
4. However, in the case of tenders to be invited in for CPWD 7, in the schedule of quantities such extra cost will have to be worked out and its percentage over the estimated cost of items of work at Schedule Rate will have to be determined (say 'Y%'). In the schedule of quantities put to tender, after showing total cost of all items at normal schedule rates, additional cost due to enhanced issue rate should be added as a pre-determined percentage of total cost of all items of work and the grand total after such addition be indicated in the tender papers as "estimated cost". For example :

Total of all items of work at schedule/analysed rates	Rs. _____ 'A'
Add 'Y'% due to issue rate of material being more than that in DGR _____	Rs. _____
Total estimated cost.	Rs. _____ 'X'

In the blank space in Clause 12, the Schedule to be mentioned will have to be stipulated as "Schedule of Rates plus Y %", 'Y' being the percentage nearest to first place of decimal) that the "extra cost due to higher issue rate of materials" bears with the "estimated cost on Schedule rates:(A)".



It is further clarified that where percentage of "extra cost due to higher issue rate of material", viz 'Y', is less than 5% of the "estimated cost on Schedule rates", viz 'A', such increase need not be taken into account for enhancing the estimated cost put to tender.

6. The instructions contained in para 4 above do not apply in the case of tenders to be invited on form CPWD 3. Relevant Schedule of Rates is to be mentioned in Clause 12, without addition of the value of 'Y' as specified in the case of tenders invited on Form CPWD 7.

(Issued from F.No.11/15/84-A&C(DGW))

P.C. Sud  
( P.C. Sud )

F.O. to D.G(Works)

To

1. All CEs/SEs/EEs in CPWD(including Hort. Directorate, Delhi Admn. & A.P.)
2. F.O. to DDG(BW), Deptt. of Telecom, 6th Floor, Sanchar Bhavan, N. Delhi-1.
3. CE(Civil) Construction Wing, AIR, Samachar Bv., N. Delhi.
4. SE-in-Charge, AIIMS, Ansari Nagar, New Delhi.
5. Engineer Member, DDA, Vikas Minar, New Delhi.
6. Director of Audit, CW&M, New Delhi.
7. Municipal Engineer, Municipal Corporation of Delhi, Town Hall, New Delhi.
8. Chief Technical Examiner, CVC, New Delhi (3 copies).
9. Chief Engineer, Ministry of Development, PWD, Bhutan.
10. Arbitration Cell, Ministry of Urban Development.
11. Director of Accounts, Works Audit Section, Dte. of Accounts, Panaji, Goa.
12. Chief Engineer(Irrigation & Flood), D.A., ISBT Bldg., Delhi.
13. Director, Light House & Light Ship., M/o Shipping & Transport, East Block, R.K. Puram, New Delhi.
14. The Joint Secretary, Govt. of Pondichary, PWD Sectt., Pondichary.
15. The Chief Engineer & Administrator, Andaman & Lakshdweep, Harbour Works, Port Blair.
16. Sh. K.K. Khanna, C/o Post Box No.284, Marekt Rd., N. Delhi.
17. Institute Engineer, IIT Raurkha, New Delhi-16.
18. University Engineer, University of Delhi, Delhi-7.
19. Engineer-in-Chief, Army HQ, Kashmir House, N. Delhi.
20. Chief Engineer, NDMC, N. Delhi.
21. CW&M & Security Section, C.O., New Delhi.
22. C.C.A., Ministry of Urban Development.

Government of India  
Directorate General of Works  
Central Public Works Department

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Mp : DGW/CON/34

New Delhi, the .6.1990

M E M O R A N D U M

Sub : Appointment of arbitrators - parties invoking arbitration to establish existence of disputes.

.....

Attention is invited to para 4/Section 36 of CPWD Manual Volume II, according to which CE is to appoint an arbitrator under Clause 25 of the agreement after obtaining report of the EE/SE on the claims of the contractor, invoking arbitration.

In this connection, Ministry of Law have advised that the party invoking arbitration clause should give information enough to justify existence of dispute. For this purpose the party has to give details about the demand having been made and its refusal by the other party. It is held by Courts of Law that a 'dispute' implies an assertion of right by one party and repudiation thereof by the other. Existence of a dispute is a condition precedent to arbitration. If there is no existence of disputes, there cannot be any right to demand arbitration.

In view of the above advice of Ministry of Law, the CEs are requested that before appointment of arbitrators, they should ensure that existence of dispute(s) has been established. For this purpose the party invoking arbitration clause should be asked to produce documentary evidence of their claims having been duly lodged with the other party and refusal by the other party to pay.

*P.C. Sud*  
( P.C. Sud )  
F.O. to D.G(Works)

(Issued from F.No. 1/3/90-A&C(DGW))

To

1. All CEs/SEs/EEs in CPWD (including Hort. Directorate, Delhi Admn. )
2. F.O. to DDG(EW), Deptt. of Telecom., 6th Floor, Sanchar Bv., New Delhi-1.



**NIRMAN MAHANIDESHALAYA  
KENDRIYA LOK NIRMAN VIBHAG**

No.DGW/CON/35

New Delhi, the 10,90

**MEMORANDUM**

**Subject: Price preference to the contractors belonging to SC/ST for award of contracts in respect of CPWD works.**

In continuation of this office Memo No.DGW/CON/16 dated 88, a copy of Ministry of Urban Development letter No.23012/38/ dated 13.9.1990 is forwarded herewith for information & guidance.

Sd/-

**(P.C. SUD)**

**F.O. To Director General (W)**

Issued from file No.15/2/81-A&C (DGW)

113

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT  
-----

No. DG(W)/CON/36

New Delhi, dated: .10.90

OFFICE MEMORANDUM

Subj:- Composite contract for dismantling of existing structure and construction of new structure.  
-----

A case has come to notice of this Directorate, where a composite contract for dismantling of existing structure and construction of new structure was awarded to a contractor. The cost of dismantled material was to be recovered in installments from Running Account Bills, on the value of work done. The contractor was allowed by the Department to dismantle, sell and dispose off the dismantled material, though plans for the new construction were yet to be approved by the Local Body. Due to indefinite delay in approval of plans, the contract had to be closed. Consequently amount payable by the contractor on account of disposal of the dismantled materials was partly adjusted from Contractors' dues on other works and a major portion remained unrecovered, for which claim had to be lodged by the Department with arbitrator.

To over come such eventualities in future, it had been decided by the DG(W) that a condition may be inserted in such contracts that 'Caution Money' equivalent to 50% of the credit likely to be obtained from dismantled materials shall be deposited by the contractor before the work is taken up in hand/ site is handed over to the contractor by the Deptt. This caution money deposited shall be refunded after the cost of dismantled material is finally recovered and the site is cleared by the contractor.

*P.C. Sud*  
(P.C. SUD)

FINANCIAL OFFICER TO DG(W)

(Issued from File No.35/3/87-DG(PM))

To

1. All CEs/SEs/EEs in CPWD (including Hrt. Directorate, Delhi Admn.)
2. F.O. to DDG(BW), Deptt. of Telecom., 6th Floor, Samachar Bhavan, New Delhi-1.
3. CE(Civil) Construction Wing, AIR, Samachar Bhavan, N.Delhi.
4. SE-in-Charge, AIIMS, Ansari Nagar, New Delhi.

Contd.....2/-

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT  
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15.11.1991

No. DGW/CON/38

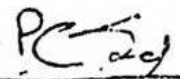
New Delhi, dated the

OFFICE MEMORANDUM

Subject : Inclusion of Aluminium partitions in the list of Specialised items.

Reference is invited to this office Memorandum No. CE/CON/770 dated 30.9.83 declaring certain items of works as specialised jobs.

It has now been decided by DG(W) that "Aluminium partitions" should also be included in the list of specialised items of works for the proposed of inviting tenders from the firms specialised in the works under Para 3 Section 19 of C.P.W. D. Manual Vol. II.

  
(P.C. SUD)  
F.O To D.G(WORKS)

(Issued from File No. 18/22/87-A&C(DGW)).

To

1. All CEs/SEs in CPWD (including Hort. Directorate, Delhi Admn. and A.P).
2. All EEs in CPWD (including Hort. Directorate, Delhi Admn. and A.P).
3. F.O to DDG(BW), Deptt. of Telecom., 6th Floor, Samachar Bhavan, New Delhi-1.
4. CE(Civil) Construction Wing, AIR Samachar Bhavan, New Delhi.
5. SE-in-Charge, AIIMS, Ansari Nagar, New Delhi.
6. Engineer Member, DDA, Vikas Minar, New Delhi.
7. Director of Audit, C&M, New Delhi.
8. Municipal Engineer, Municipal Corporation of Delhi, Town Hall, New Delhi.
9. Chief Technical Examiner, CVC, New Delhi (3 copies).
10. Chief Engineer, Ministry of Development, PWD, Bhutan.
11. Arbitration Cell, Ministry of Urban Development.
12. Director of Accounts, Works Audit Section Directorate Accounts, Panaji, Goa.
13. Chief Engineer (Irrigation and Flood), Delhi Admin's old Secct., Delhi.
14. Director, Light House and Light Ship. M/o Shipping Transport, East Block, R.K. Puram, New Delhi.
15. The Joint Secretary, Govt. of Pondicherry, PWD S.

...2/

M

Government of India  
Directorate General of Works  
Central Public Works Department  
Nirman Bhawan

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No. DGW/CON/41

New Delhi, Dated: . 2. 92

M E M O R A N D U M

१६ मार्च १९९२

Subj: Voluntary rebates Offered by the contractors for timely running payments and final bill within certain period - Acceptance of & nature of conditions in tenders.

- 
1. Attention is invited to instructions issued vide circular No. CE/CON/669 dated 27.3.1978 & No. CE/CON/746 dated 1.7.1982 on the above subject.
  2. It is clarified that the system of offering voluntary conditional rebates by contractors for timely running/final payments & their acceptance in each case need not be institutionalised. The tender accepting authority, before taking a decision on tenders, should consider if the department will be able to fulfil such commitments.
  3. The recommending officers should also give their recommendations after considering the feasibility of carrying out the obligations, if any undertaken, to make payments at certain times.
  4. It is further clarified that in cases where such voluntary conditional rebates are accepted, the amount of acceptance of tender to be shown in the letter of acceptance should be exclusive of the effect of conditional rebates since it is not correct to mix a 'constant' with a 'variable'. Evidently the percentage for operation of clause 12(iii) will be based on above amount of acceptance of tender exclusive of the effect of conditional 'rebates'.
  5. With the above clarification there will be nothing like 'mandatory' conditions. All conditions will be treated at par.

Sd/-

(W.D. Pandega)  
Director General(Works)

(Issued under F. No.4/2/92-CWBd)

To

1. All CES/SES/ESs in CPWD (including Hort. Directorate, Delhi Admn. & A.P.O.).
2. F.O. to DDO(BW), Deptt. of Telecom., 6th floor Sanchar Bhawan, New Delhi.

... 2/-

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

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NO. DGW/CON/42

New Delhi, dated the 21.2.92

M E M O R A N D U M

Subject : Price preference to the contractors belonging to SC/ST for award of contracts in respect of CPWD works.

\*\*\*\*

In continuation of this Office Memo. No. DGW/CON/35 dt. 8.10.90, a copy of Ministry of Urban Development letter No. 28012/38/83-W3 dt. 18.2.92 is forwarded herewith for information & guidance.

Encl : One.

PC-2d  
(P.O. SUD)

F.O TO D.G(WORKS)h

Issued from file No. 15/2/81-A&C(DGW)

To

1. All CEs/SEs in CPWD (Including Hort. Directorate & Delhi Admn.)
2. All EEs/in CPWD (including Hort. Directorate & Delhi Admn.)
3. F.O to DDG(BW), Deptt. of Telecom., 6th floor, Sanchar Bhavan, New Delhi.
4. CE(Civil) Construction Wing, AIR Sanchar Bhavan, New Delhi.
5. SE-in-Charge, AIIMS, Ansari Nagar, New Delhi.
6. Engineer Member, DDA, Vikas Minar, New Delhi.
7. Director of Audit, CW&M, New Delhi.
8. Municipal Engineer, Municipal Corporation of Delhi, Town Hall, New Delhi.
9. Chief Technical Examiner, CVC, New Delhi (3 copies).
10. Chief Engineer, Ministry of Development, PWD, Bhutan.
11. Arbitration Cell, Ministry of Urban Development.
12. Director of Accounts, Works Audit Section Directorate of Accounts, Panaji, Goa.
13. Chief Engineer (Irrigation and Flood), Delhi Admn. ISBT Bldg., Delhi.
14. Director, Light House and Light Ship, Ministry of Shipping and Transport, East Block, R.K. Puram, New Delhi.
15. The Joint Secretary, Govt. of Pondicherry, PWD Sectt., Pondicherry.
16. The Chief Engineer/Administrator, Andaman & Lakshadweep, Harbour Works, Port Blair.
17. Shri K.K. Khanna, C/o Post Box No. 284, Market Road, New Delhi.
18. Institute Engineer, IIT, Hauz Khas, New Delhi-16.
19. University Engineer, University of Delhi, Delhi-7.
20. Engineer-in-Chief, Army Headquarters, Kashmir House, New Delhi.
21. Chief Engineer, NDMC, New Delhi.



No. 28012/38/83-W4/W3

GOVERNMENT OF INDIA  
MINISTRY OF URBAN DEVELOPMENT  
(WORKS DIVISION)

\*\*\*

New Delhi, dt. the 18.2.92

To  
The Director General(Works),  
CPWD,  
New Delhi.

Subject ; Price preference to the contractors belonging to  
SC/ST for award of contracts in respect of CPWD  
works.

Sir,

I am directed to refer to your I.D. NO.15/12/81  
A&C(DGW) dt. 20.11.91 on the subject mentioned above and to  
convey approval of the Government to the continuance of the  
concessions available to the contractors belonging to SC/ST  
community as communicated vide this Ministry's letter of even  
No. dt. 13.9.91 for a further period of 2 years from 1.1.92.

2. The position will be reviewed three months before  
the expiry of the period of this extension.

3. This issues with the concurrence of Fin. Dn. (W&B)  
vide their file No. 391/W&B/AFAT/98 dated 17.2.1992.

Yours faithfully,

Sd/-

(S.K. BHATNAGAR)  
SECTION OFFICER(SPL)  
TEL. No. 3013079



87

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

\*\*\*\*

NO.DGW/CON/48

New Delhi, dated the 5.8.92

MEMORANDUM

Subject : Timely action in defending Court/Arbitration cases.

\*\*\*\*

A case has come to the notice of this Directorate, wherein a suit filed by the Department in the High Court in respect of an Arbitration Award was dismissed on certain grounds by the High Court. It was contemplated to file an appeal before a Division Bench and accordingly advice of Ministry of Law was solicited.

While giving their opinion, Ministry of Law have observed that according to law, an appeal before the Division Bench is to be filed within thirty days of pronouncement of judgement by the High Court. The Department had taken about five months to refer the matter for obtaining advice of Ministry of Law. Ministry of Law has advised that in such a situation the Court has to be approached for condonation of delay in filing the objections, and the Department has to explain the day by day delay, to the satisfaction of the Court. In a recent case, the court came down heavily on the Department on the question of condoning the delay in filing the objections.

All concerned are therefore advised that they should be very careful and prompt in handling such Arbitration/Court cases and ensure that timely action is taken within the period of limitation.

(S. SATAKOPAN)

F.O. D.G (WORKS)

-Issued from file No.1/1/92-L&C(DGW)-

- To
1. All CEs in CPWD & PWD (DA).
  2. All SES/ES/SSWs/Project Manager/Director of Hort., Dy. Dir of Hort., in CPWD & PWD (DA).
  3. Chief Controller of Accounts, Ministry of Urban Development.
  4. P&A Officers to Zones in CPWD.
  5. P&A Officers (DGN), CPWD, New Delhi.
  6. Ministry of Urban Development, (N Section), New Delhi.
  7. Incharge, Security Section, CPWD, New Delhi.
  8. Incharge, CWBd Section, CPWD, New Delhi.
  9. P.S to DG(W), PS to ADG(TD).
  10. Director of Works, CPWD, Nirmal Bhavan, New Delhi.
  11. Er-in-Chief, Army Head Qtrs. Kashmir House, New Delhi.
  12. Chief Engineer, NDMC, New Delhi.

IMMEDIATE

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

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NO.DGW/CON/49

New Delhi, dated the 16.9.92

OFFICE MEMORANDUM

Subject : Decentralisation of Enlistment of Contractors -  
Delegation of powers to CE(NEZ) to enlist contractor(s)  
in Class-II, III & IV(B&R) in CPWD.

In continuation of this Office Memorandum dt. 11.10.91 and Office Circular No. DGW/CON/39, dated 3.10.91 the competent authority have delegated powers to CE(NEZ) CPWD, Shillong to enlist contractor(s) in Class-II, III & IV(B&R) all category of Meghalaya & N.E Region and need not apply to CE(EZ) CPWD Calcutta for the purpose till further orders.

This issues with the concurrence of DG(W) CPWD, New Delhi.

Issued from F.NO. 14/3/90-A&C(DGW) I

(S. SATAKOPAN)  
F.O TO D.G(WORKS)

To

1. All CES/SES/Es/Director & Dy. Director of Horts./P.M. in CPWD, PWD, D. ...
2. Er-in-Chief, Army Head Quarters, Kashmir House, New Delhi.
3. Chief Engineer EDMC, New Delhi.
4. Municipal Engineer, MCD, Town Hall, New Delhi.
5. CE(Irrigation and Flood), Delhi Admn., ISBT, Delhi.
6. Institute Engineer, IIT, Hauz Khas, New Delhi.
7. University Engineer, University of Delhi, Delhi-7.
8. CE(Civil), Construction Wing, AIR Samachar Bhavan, New Delhi.
9. FO to DDC(BW), Deptt. of Telecom, 6th floor, Sanchar Bhavan.
10. SE-in-Charge, AIMS, Ansari Nagar, New Delhi.
11. Engineer Member, VDA, Vikas Minar, New Delhi.
12. Superintending Engineer(QC), QCTA Core Cell/CDO/SPG, CPWD, Room No. 419, Nirman Bhavan, New Delhi.

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

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NO.DGW/CON/50

New Delhi, dated the 1.10.92 12.92

MEMORANDUM

Subject : Payment of part rates for fabricated wood/steel items before fixing.

\*\*\*

1. The chief Technical Examiner during inspection of some CPWD Works had observed that panelled doors/window shutters and M.S. Grills kept in contractor's site stores or fabrication yards were paid under the relevant agreement items at part rates before being fixed in position. In such cases, only payment of secured advance is permissible and not payment of the item at part rates.

2. All concerned are, therefore, advised to note that the practice of payment of part rates for door/window shutters, T iron frames, M.S. Grills, flush door shutters and items of similar nature not fixed in position is not correct. Only secured advances as admissible under the terms of contract can be paid in such cases.

This issues with the approval of DGW.

(S. SATAKOPAN)

F.O TO D.G(WORKS)

Issued from file No. 18/25/78-A&C(DGW)

To

1. All CEs in CPWD & PWD(DA).
2. All SEs/EEs/SSWs/Project Manager/ Director of Hort./Dy. Director of Hort., in CPWD & PWD(DA).
3. Chief controller of Accounts, Ministry of Urban Development.
4. P&A Officers to Zones in CPWD.
5. P&A Officers DG(W), CPWD, New Delhi.
6. Ministry of Urban Development (W3 Section), New Delhi.
7. Incharge, Security Section, CPWD, New Delhi.
8. Incharge, CWBd Section, CPWD, New Delhi.
9. PS to DG(W), PS to ADG(TD).
10. Director of Works, CPWD, Nirman Bhavan, New Delhi.
11. Er-in-Chief, Army Head Qrts. Kashmir House, New Delhi.
- 12.

...2/-

GOVERNMENT OF INDIA  
DIRECTOR GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT  
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158

NO.DGW/CON/51

New Delhi, dated the 3<sup>rd</sup> Nov 1992 10.92

MEMORANDUM

Subject : Filing of appeals against Arbitration Awards.

\*\*\*\*

According to para 35.72 of CPWD Manual Vol.II (1988 Edition), all proposals for filing appeals against the arbitration awards, irrespective of the value of the award, are to be referred to the Ministry for final decision. In one of the such cases, the office of CE decided to challenge the award in anticipation of Ministry's approval. Later on the file was referred to Ministry of Urban Development/Ministry of Law & Justice for ex-post facto approval.

Ministry of Law & Justice, while returning the file have observed that the legal proprieties and prudence demand that such matters should be examined by Ministry of Law before the award is challenged. If the award is found to be in order from all aspects, it need not and should not be challenged. It will also save the public exchequer and the precious time of the Court. The entire exercise in challenging the Award, even if be in futility, has been done in this case and denial of ex-post-facto approval would not be of any practical use. Ministry of Law thus did not deem it proper to examine the award on merits and returned the file.

In view of the above facts, all concerned are directed to ensure that approval of Ministry of Law/Ministry of Urban Development is invariably obtained well in time before challenging arbitration awards in the Courts of Law, as provided in CPWD Manual Vol. II.

(S. SATHAKOPAN)  
! F.O TO D.G(WORKS)

-Issued from file No. 1/1/92-A&C(LGW)-

To

1. All CEs in CPWD & PWD(DA).
2. All SEs/EEs/SSWs/Project Manager/Director of Hort./Ly. Director of Hort., in CPWD, & PWD(DA).
3. Chief Controller of Accounts, Ministry of Urban Development.
4. P & A Officers to Zones in CPWD.
5. P & A Officers LG(W), CPWD, New Delhi.
6. Ministry of Urban Development (W3 Section), New Delhi.
7. Incharge, Security Section, CPWD, New Delhi.

...2/-



GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

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NO.DGW/COA/52

New Delhi, dated the 9.12.92

MEMORANDUM

Subject: **Sanitary** and Water Supply contractors - Amalgamation of existing category of S&W contractors with B&R contractors.

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It has been decided, in consultation with the Ministry of Urban Development, that there will be no enlistment of contractors under Sanitary and Water Supply category in future. However contractors already enlisted in the S&W category will be amalgamated with the appropriate Class in B&R category. In view of the Superior criteria for enlistment of B&R contractors in terms of magnitude of works executed as a precondition, banker's certificate, (solveny certificate) as prescribed in the rules, employment of qualified technical staff, it was not found feasible to amalgamate S&W Contractors in corresponding B&R class. As a consideration for their association with the Department, S&W contractors already enlisted would be amalgamated with B&R contractors two classes below, for example, Class-I(S&W) contractors will be amalgamated with Class-III, B&R contractors and so on. Class-IV S&W contractors will be amalgamated with Class-V B&R.

Zonal CEs, who have been authorised to enlist contractors in all categories/classes, except Class-I, will review case files of all S&W contractors already forwarded to them, and re-classify them as per instructions above. Each S&W contractor may be informed individually and their consent obtained to be reclassified in the manner indicated above. While re-classifying, S&W Contractors will be required to employ technical personnel as required for the B&R class in which they are amalgamated and no other criterion will be insisted upon.

The exercise of re-classification of S&W contractors may be completed by 31.3.93. No tenders should be issued to contractors based on their enlistment in S&W category beyond 31.3.93.

4/12/92  
(S. SATAKOPAN)

ad. F.O TO L.G(WORKS)

[ This issue from file No. 14/3/92-A&C(LGW) ]

To

1. All CEs in CPWD & PWD(LA).
2. All SEs/EEs/SSWs/Project Manager/Director of Hort./Dy. Director of Hort., in CPWD&PWD(DA).

DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

8 DEC 1992

DGW/COM/53

No.22/1/92-A & C(DGW)

N.Delhi, dt.

.12.1992

Subject : Construction of Cement Godowns.

Para 3.1.2.2 read alongwith figure 4 of the CPWD specifications Volume 1 gives details of the typical Cement Godown to be built at site by Contractor for storing cement issued for the work. This provision is also repeated in some contract forms by inserting a special condition or particular specification. It therefore, follows that irrespective of the cost of work, the cement godown shall have to be built as per laid down specifications.

A question arose that for very small works, the construction of the typical cement godowns as per CPWD specifications may not be warranted. The cost of the cement godown would be considerably larger when compared to the total cost of the work.

It is therefore decided that for works whose estimated cost does not exceed Rs.25,000/-, we need not insist on construction of typical cement godown as per the specifications. In the L1s for such works the following condition may be added under special conditions :

"The provisions of para 3.1.2.2 of the CPWD specifications volume 1 need not be followed in respect of construction of cement godowns for works whose estimated cost does not exceed Rs.25,000/-. In such cases the contractor shall be permitted to store cement at site inside a covered shelter providing adequate safeguards against clodding of cement due to action of water and theft. The Engineer in Charge shall inspect such shelter and satisfy himself that adequate safeguards as mentioned above exists."

It is enjoined on all concerned to follow these instructions in future.

( O.P.Goel )

Director General (Works)

To

All Chief Engineers/SEs.



Directorate  
Central Public Works Department

DOGW/CON/55

New Delhi, the

Jan. 1993

OFFICE MEMORANDUM

Subject:- Verification of eligibility and technical capability etc. of contractors enlisted in MES/Railways/State PWs for Tendering in CPWD.

In partial modification of this office order No.DG/CON/9 dated 15.9.87. It has further been decided that for works costing above Rs.15 lakhs and upto 2 crores, tender may also be issued to eligible non-CPWD contractors provided that they have satisfactorily completed three works, each costing an amount equal to 30% of the estimated cost of the work for which tender is to be invited. This is further subject to the condition that value of each such work should not be less than Rs.15 lakhs.

2. In case of works estimated to cost more than Rs.2 crores, tenders may be issued to eligible CPWD and Non-CPWD contractors provided that they have satisfactorily completed three works individually of the magnitude shown below during the last 5 years:-

- |  |   |  |
|--|---|--|
| 1) For works estimated to cost above Rs.2 crores & upto Rs.3 crores. | I | Three works individually costing <u>Rs.75 lakhs each</u>   |
| ii) For works estimated to cost above <u>Rs.3 crores</u>             | I | Three works individually costing <u>Rs. One crore each</u> |

(S. SATAKOPAN)

F.O. to D.G. (W)

(Issued for F.No.4/16/92-CWSI)

To

1. All CEs/SEs in CPWD (i/c Horticulture Directorate, Delhi Admn. and Arunachal Pradesh).
2. All SSMs/SWs/SEs in CPWD (i/c Horticulture Directorate, Delhi Admn. and Arunachal Pradesh).
3. The Central Builders Association (Regd.), 44/1, Regal Bldg., New Delhi.
4. Builder's Association of India, G-1/G-20, Commerce Centre, 7th Floor, Tandon, Bombay.
5. F.O. to DDG(BW), Deptt. of Telecom., 6th Floor, Sanchar Bhavan, New Delhi.

82

DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

No.DGW/CON/56

New Delhi, dated the 2.3.1993.

**Subject : Acceptance of Rebates offered by contractors in the tenders.**

Attention is invited to the following instructions issued from time to time on the above subjects.

- i) CE/CON/669 dated 27.3.78
- ii) CE/CON/746 dated 1.7.82
- iii) 4/2/91-CWBd dated 20.3.91
- iv) DGW/CON/41 dated 14.2.92

The circular DGW/CON/41 dated 14.2.92 be treated as withdrawn with immediate effect.

2. The determination of the "lowest tenderer" and calculation of the "amount of accepted tender" would continue to be governed by circulars:

- i) CE/CON/669 dated 27.3.78
- ii) CE/CON/746 dated 1.7.82
- iii) 4/2/91-CWBd dated 20.3.91

3. In respect of the standard format for rebates to be offered by the contractor (circulated vide 4/2/91-C.W.Bd. dated 20.3.91) a few discrepancies have been noticed. The format has therefore been modified and is enclosed. Henceforth only this revised format may be adopted following the instructions contained in the circular dated 20.3.91.

4. It may be observed from para (ii) of the revised format that the net value of work done since previous bill should be not less than Rs.25,000 and the exact figure has to be arrived at by mutual negotiations. To this extent, therefore, para 2 of the CE/CON/669 dated 27.3.78 stands modified.

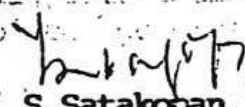
5. These instructions may be brought to the notice of all units under your control.

Encl : One revised format.

(File : 4/2/92-C.W.Bd.)

To

- 1. All C.Es/SEs in CPWD(i/c Horticulture Directorate, Delhi Admn. and Arunachal Pradesh).

  
( S.Satakopan )  
F.O. to D.G.(Works)

Standard pattern of conditions for rebates offered by the Contractor i.e. General, Running, Final and other payments etc.

- (i) I/We offer an unconditional rebate of \_\_\_\_\_ % ( \_\_\_\_\_ ) on my tendered rates.  
(in words)
- (ii) I/We offer a further rebate of \_\_\_\_\_ % ( \_\_\_\_\_ ) on my/our tendered rates for monthly payment  
(in words) which shall be made if the net value of the work done since previous bill is not less than Rs. \_\_\_\_\_ (in words) \*\*\*
- (iii) I/We offer a further rebate of \_\_\_\_\_ % ( \_\_\_\_\_ )  
(in words) on our tendered rates if the final bill for the undisputed items is paid within 6 months from the date of completion of work as recorded by the Engineer-in-charge.
- (iv) I/We offer a further rebate of \_\_\_\_\_ % ( \_\_\_\_\_ )  
(in words) on our tendered rates for payment under Clause 10 CC as per provisions of the agreement.
- (v) All the four rebates as above totalling to \_\_\_\_\_ % ( \_\_\_\_\_ )  
(in words) shall be applicable on the gross value of the work done (excluding the additional, altered and substituted work payable under Clause 12 of the agreement) and shall be deductible individually from each running bill and final bill.
- (vi) All the four rebates as above, shall be considered for working out the percentage under Clause 12 to determine the rates of additional, altered and substituted work.
- (vii) Forfeiture of rebate in a bill shall not entail forfeiture of rebate already deducted and to be deducted from subsequent payments.

\*\*\* (Limit to be negotiated subject to the condition that the amount will not be less than Rs.25,000/).

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT  
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7 JUN 1993

No. DGW/CON/57

New Delhi, dated .5.93

MEMORANDUM

Subject:- Issue of tenders for demolition and construction.

\*\*\*\*\*

A copy of letter No 20012/1/90-W2 dated 17.3.93 from Ministry of Urban Development is sent herewith for information and guidance.

Encl. As above.

( S. SATAKOPAN )  
F.O TO D.G (WORKS )

( Issued from File No. 18/1/93-A&C (DGW)

To

1. All CEs/SEs/EEs/Director & Dy. Director of Hort./PM in CPWD, FWD(DA).
2. Br.-in-Chief, Army Head Quarters, Kashmir House, New Delhi.
3. Chief Engineer NDMC, New Delhi.
4. Municipal Engineer, MCD, Town Hall, New Delhi.
5. CE(Irrigation and flood), Delhi Admn., ISBT, Delhi.
6. Institute Engineer, IIT, Hauz Khas, New Delhi.
7. University Engineer, University of Delhi, Delhi-7.
8. CE(Civil), Construction Wing, AIR Samachar Bhavan, N.Delhi.
9. FO to DDG (BW), Deptt. of Telecom, 6th floor, Sanchar Bhavan, New Delhi.
10. Se-in-Charge, AIIMS, Ansari Nagar, New Delhi.
11. Engineer Member, DDA, Vikas Minar, New Delhi.
12. Superintending Engineer (QC), QCTA Core Cell/CDO/SPG, CPWD, Room No. 419, Nirman Bhavan, New Delhi.
13. Senior Counsel, CPWD.
14. PS to D.G.(works) CPWD.
15. PS to ADG, CPWD.



No. 20012/1/90-W.2  
GOVERNMENT OF INDIA  
MINISTRY OF URBAN DEVELOPMENT  
(WORKS DIVISION)

.... New Delhi, the 17.3.93

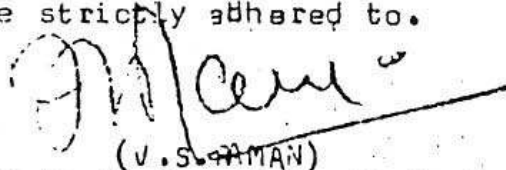
OFFICE MEMORANDUM

Subject:- Issue of tenders for demolition and construction.

....

Consequent on the acceptance of the recommendations of the Technical Committee constituted in the light of Para 15.7 of the 143rd Report (1988-89) of the Public Accounts Committee (Eighth Lok Sabha) on Crash Housing Programme, it has been decided by the Government that the following procedure should be followed for engagement of contractors for demolition and construction of buildings:-

- i) Separate contract for dismantlement and disposal of structures may be resorted to when there is enough time available after receipt of approval to dispose of these structures and receipt of Administrative Approval and Expenditure Sanction for reconstruction.
  - ii) Where exigency and urgency of work so demands, combined tender for demolition of building and construction of new building may be resorted to. The decision may be taken at the level not lower than that of the Chief Engineer of the Central Public Works Department who should also record reasons due to which combined tender for demolition of the old building and construction of the new building is to be invited.
2. Order for amendment of Para 128 (ii) of CPWD Code are being issued separately.
  3. These instructions may be strictly adhered to.

  
(V. S. ARMAN)

JOY. SECRETARY TO THE GOVT. OF INDIA  
TELE: 3017630

To

1. The Director General (Works),  
CPWD, Nirman Bhavan, New Delhi.
2. All Chief Engineer of the Central  
Public Works Department.
3. Director of Audit, Economic & Service Ministries,  
ASCR Building, IP Estate, New Delhi-2.
4. Chief Controller of Accounts, Min. of UD, New Delhi.
5. Finance Division, Ministry of UD, New Delhi.



56

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

\*\*\*

D.DGW/CON/58


New Delhi, dated the 31.5.93

C I R C U L A R

A case has come to the notice of this Directorate that a contract awarded to a contractor was operated by an individual holding a General Power of Attorney.

Operation of a contract on commission basis by an inexperienced individual other than the contractor to whom it was awarded results in sub standard work and compromise in the quality of work and material. This defeats the purpose of maintaining the category-wise list of contractors.

It is impressed on all concerned that the provision in para 33.11, of CPWD Manual Vol.II 1988 (Page 123) may be strictly adhered to. The relevant certification prescribed therein should be enforced strictly in letter and spirit.

  
(N.S.K. RAO) 27-5-93  
F.O TO D.G(WORKS)

I ISSUED FROM FILE NO. 18/1/93-A&C(DGW) I

To

1. All CEs in CPWD & PWD(DA).
2. All SEs/EEs/SSWs/Project Manager/Director of Horticulture, Dy. Dir. of Hort., in CPWD.
3. Chief Controller of Accounts, Ministry of Urban Development.
4. P&A Officers to Zonal in CPWD.
5. All P&A Officers DG(W), CPWD, New Delhi.
6. Ministry of Urban Development (W3 Section), New Delhi.
7. Incharge, Security Section, CPWD, New Delhi.
8. Incharge, CWA Bd Section, CPWD, New Delhi.
9. PS to DG(W), PS to ADG(TD).
10. Director of Works, CPWD, Nirman Bhavan, New Delhi.
11. Br-in-Chief, Army Head Quarters, Kashmir House, New Delhi.
12. Chief Engineer, NDMC, New Delhi.
13. Municipal Engineer, MCD, Town Hall, New Delhi.
14. CE(Irrigation and Flood), Delhi Admn, ISBT Bldg. New Delhi.
15. University Engineer University of Delhi.
16. CE(Civil) Construction Wing, AIR, Samachar Bhavan, New Delhi.
17. F.O to DDG(W) Dept of Telecom, 6th floor, Samachar Bhavan, N.D.
18. SE-in-Charge, AIIMS, Ansari Nagar, New Delhi.
19. Engineer Member, DDA Vikas Minar, New Delhi.
20. Income Tax Officer, Contractors Circle, New Delhi.
21. P.A to F.O(OSD), CPWD, New Delhi.
22. Stock file/Guard file.

106

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

\*\*\*

NO.DGW/CON/763

New Delhi, dated the 8.2.94

Subject : Submission of Arbitration cases for challenging/  
Acceptance.

\*\*\*

It is observed that while forwarding arbitration awards to this Directorate obtaining concurrence of Ministry of Law for challenging or acceptance under orders of DGW, the documents required to be forwarded are not sent to enable proper examination of the awards. This results in unnecessary correspondence and avoidable waste of time even as awards have to be challenged within a defined time limit.

It is enjoined on all Chief Engineers that the following documents may be sent invariably with all awards.

1. Contract Agreement in original.
2. Award of the Arbitrator.
3. Legal opinion of Govt. Counsel/Counsel CPWD/local legal Department of Ministry of Law where obtained.
4. A statement in the proforma as enclosed.

(S. SATAKO PAN)

F.O TO D.G(WORKS)

Issued vide file No. 1/1/94-AccC(DGW)

To

1. All CEs in CPWD, & FWD(DA).
2. All SEs/Es/SEWs/Project Manager/Director of Horticulture, Dy. Dir. of Hort., in CPWD & FWD(DA).
3. Chief Controller of Accounts, Ministry of Urban Development..2G
4. M/o U.D(w? Section), New Delhi.
5. Incharge, Security Section & CW Bd section, CPWD, New Delhi.
6. Ex-in-Chief, Army Hq. Kashmir House, New Delhi.
7. Chief Engineer, NDMC, Indira Kendra, New Delhi.
8. Municipal Engineer, MCD, Town Hall, New Delhi.
9. CE(Irrigation and Flood), Delhi Admn. Old Sectt. Delhi.
10. University Engineer, University of Delhi, Delhi-7.
11. CE(Civil) Construction Wing, AIR, Ham Nagar House, New Delhi.
12. F.O to DDG(W) Deptt. of Telecom, 36th floor, Sanchar Bhavan, New Delhi.
13. SE-in-Charge, AIIMS Ansari Nagar, New Delhi.
14. Engineer Member, DDA, Vikas Minar, New Delhi.
15. Income Tax Officer, Contractors Circle, Vikas Bhavan, New Delhi.
16. F.O to DDG(W), CPWD, New Delhi.

CLAIMISE STATEMENT OF ARBITRATION  
AWARD FOR THE WORK :-

Agency :-

Claim No.      Brief description of claim/counter claim as justified by the arbitrator      Amount of claim      Amount awarded      Recommendations (EE's)      Recommendations (SE's)      Recommendations (CE's)

1.	2.	3.	4.	5.	6.	7.

108

GOVERNMENT OF INDIA  
DEPARTMENT OF PUBLIC WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT  
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NO. DGW/CON/64

New Delhi, dated the 17.3.94

OFFICE MEMORANDUM

Subject : Insertion of conditions in the tender papers with financial implications at the time of signing of agreement.

\*\*\*

A case has come to the notice as a result of the inspection of CTE in which the approved tender document (NIT) contained the conditions for issue of bricks, but were apparently omitted while preparing and issuing the tender papers to the contractors. It appears that during the comparison with the approved NIT the omission of these conditions regarding issue of bricks was noticed in the tender papers and, therefore, these conditions were inserted in the original tender so as to bring it in conformity with the approved NIT before the contract is signed.

In the above case the CEC has observed that while the procedure adopted was satisfactory in the case of minor omissions and corrections, in this case the insertion of the conditions of issue of bricks had substantial financial implications because the bricks were proposed to be issued at rates much below the prevailing market rates. Inserting of such a condition after opening the tenders could give considerable undue benefit to the contractor. It was, therefore, not proper at a later date to insert these conditions in the contract document. Even, if there would have been some difference between the approved tender document (NIT) and the contract document, if the condition was not inserted, since the tenders were invited and work awarded on the basis of tender papers without this condition, it was not proper to incorporate such a condition with financial implications at the time of signing the contract.

The observation of C.V.C is brought to the notice of all the CEs/SEs/EEs for compliance. It is pointed out that even if certain conditions are inadvertently omitted in the tender papers, though included in the NIT, the same should not be mechanically incorporated in the contract document at the time of signing the contract without examining the financial implications.

(THIS IS ISSUED FROM FILE NO. 18/1/94-ACC(DGW))

To  
All CEs/SEs/EEs  
in CPWD.

(S. SATAKOPAN)  
F.O TO D.G(WORKS)

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

\*\*\*

NO. DGW/CON/66

New Delhi, dated the 3<sup>rd</sup> 3.94

M E M O R A N D U M

Subject : Price preference to the contractors belonging to SC/ST for award of contracts in respect of CPWD Works.

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In continuation of this Office Memo. No. DGW/CON/42 dt. 21/2/92 a copy of Ministry of Urban Development letter No. 28012/38/83-W4/W3 dt. 17-3-94 is forwarded herewith for information & guidance.

Encl : One.

*Handwritten signature*

S. SATAKO PAN  
F.O TO D.G(WORKS)

Issued from file No. 15/2/81-ACC(DGW)

To

1. All CEs in CPWD & PWD(DA).
2. All SEs/EEs/SSWs/Project Manager/Director of Horticulture, Dy. Director of Hort., in CPWD & PWD(DA).
3. Chief Controller of Accounts, Ministry of Urban Development...2 cc
4. M/o U.D (W3 Section), New Delhi.
5. Incharge, Security Section, CW Bd Section, CPWD, New Delhi.
6. Er-in-Chief, Army HQ. Kashmir House, New Delhi.
7. Chief Engineer, NDMC, Palika Kendra, New Delhi.
8. Municipal Engineer, MCD, Town Hall, New Delhi-6.
9. CE(Irrigation and flood), Delhi Admn. Delhi.
10. University Engineer, University of Delhi, Delhi-7.
11. CE(Civil) Construction Wing, AIR, Jam Nagar House, New Delhi.
12. FO to DDG(W) Deptt. of Transport, 6th floor, Sanchar Bhavan, N.D.
13. SE-in-Charge, AIIMS, Ansari Nagar, New Delhi.
14. Engineer Member, BBA Vikas Mansar, New Delhi.
15. Income Tax Officer, Contractors Circle, Vikas Bhavan, ITO N.D.
16. F.O to D.P(W) CPWD, New Delhi.
17. Director of Works (S&P), PWA and PM, CPWD, Nirman Bhavan, N.D.
18. Section Officer, W-I & W-II Section, CPWD, Nirman Bhavan, N.D.
19. Counsel, CPWD, Nirman Bhavan, New Delhi.
20. CE(Trg.), CPWD, Nirman Bhavan, New Delhi...3 copies.
21. CE(Vig.), CPWD, Nirman Bhavan, New Delhi...3 copies.
22. CE(CDO), CPWD, Nirman Bhavan, New Delhi...3 copies.
23. SE, Hospital Engrg., P.I. of Medical Education, Research, Chandigarh
24. DSID Corpn. Ltd., Technical Centre Buldg. Wazirpur, I.Ds., Area, T
25. Arbitration Cell M/o U.D., Indian Oil Bhavan, Connaught Place.
26. J.S. Govt. of Pondicherry, PWD, Sectt. Pondicherry.
27. Chief Technical Examiner, CVC, New Delhi.



28. Chief Engineer, Ministry of Urban Development, PWD, Bhutan.
  29. Sr. Manager (Finance & Accts.) NPC Rajasthan Atomic Power Project-III & IV P.O. Anushakti Bicutra Rajasthan-3233003.
  30. Chief Engineer Library, Parliament State New Delhi.
  31. Chief Engineer I.B. Project (Near Mourya Sheraton Hotel) S.P. Marg, New Delhi-21.
- 

A copy of letter No. 28012/38/83-W4/W3 dated 17th March, 1994 received from Ministry of Urban Development (Works Division) addressed to Director General of Works, CPWD, New Delhi.

\*\*\*\*

I am directed to refer to your ID. NO. 15/2/91-A&C (DGW) dt. 20.1.94 on the subject mentioned above and to convey approval of the Government to the continuance of the concessions available to the contractors belonging to SC/ST community as communicated vide this Ministry's letter of even number dt. 13.9.90 for a further period of 2 years from 1.1.94.

2. The position will be reviewed three months before the expiry of the period of this extension.

3. This issues with the concurrence of Fin. Dn. (W&E) vide their file No. 463/F/JS(F)/94 dt. 17.3.94.

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GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT  
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299

DG(W)/CON/69

New Delhi, dated 17.6.94

Subject:- Issue of Press Notice in respect of tenders for works.

The format of the Press Notice to be issued by Divisions in respect of tenders of CPWD has been laid down in Para 18.2.2 of CPWD Manual-II(1988).

The salient features of the format are:

- i) Brevity.
- ii) Issue of combined tender notice for all the works to be awarded around the same time.

The aim is to minimise the expenditure on advertisement.

A perusal of the advertisements released to Newspaper, however, reveals that

- i) the official designation and address of the EE is given at the beginning and repeated at the end, whereas it should be given in the beginning as per format given in CPWD Manual Vol. II.
- ii) details of Estimated Cost, Earnest Money, Time allowed etc. are given in separate lines, whereas, these details can be given in continuity which would save costly newsprint space;
- iii) separate notices are issued on the same day for more than one work whereas they can be combined in one Press Notice;
- iv) titles such as 'Govt. of India, Central Public Works Department' etc. are printed at the top which is not necessary when the official designation at the beginning gives these details;
- v) the name of EE inviting tenders is printed whereas indicating only the official designation is sufficient.

The above instructions should be strictly observed while releasing Press advertisements which are being monitored in the Directorate,

Issued from File No.4/1/94-A&C (DGW).

h-10-1077

( S. SATAKOPAN )

F.O TO D.G ( WORKS )

..... 2/-

16/6/94

**GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT**

No.DGW/CON/70

New Delhi, dated 10.6.94

**MEMORANDUM**

**Sub: Issue of Blank Tender Documents – Revision of cost therefore.**

In super session of the provision of para 19.20 of CPWD Manual Vol. II (1988), the cost of Blank Tender Documents will be revised as under. The revised cost will be recovered in respect of blank tender from issued pursuant to notices for issue of tenders advertised on or after 1.7.94.

- |  |           |
|--|-----------|
| 1. Works costing upto Rs. One lakh with one copy of agreement to be supplied free of cost to the contractor in whose favour the works is awarded.                          | Rs. 150/- |
| 2. Works costing between Rs. One lakh and Rs. 50 lakhs with one copy of agreement to be supplied free of cost to the contractor in whose favour the work is awarded.       | Rs. 500/- |
| 3. Work costing more than Rs. 50 lakhs and upto Rs. 2 crores with one copy of agreement to be supplied free of cost to the contractor in whose favour the work is awarded. | Rs.1000/- |
| 4. Work costing above Rs.2 crores with copy of agreement to be supplied free of cost to the contractor in whose favour the work is awarded.                                | Rs.1500/- |

Authorities competent to approve NIT will continue to have the direction to add to the above prices, any additional cost of drawings to be supplied along with the tender documents as per provision of para 19.31 of CPWD Manual Vol.II (1988)

The cost of duplicate set will continue to be governed by the provisions of para 19.12 of CPWD Manual Vol.II (1988).

The CPWD Manual Vol. II (1998) will be amended in due course.

(Issued from 4/1/96-A & C (DGW))

Sd/-

**(S. SATAKO PAN)  
F.O. to D.G. (WORKS)**

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT  
\*\*\*\*\*

NIRMAN BHAWAN, NEW DELHI-110011

No. DGW/CON/73

Dated the 3 August 1994

OFFICE MEMORANDUM

Subject:- Revalidation of enlistment of contractors in C.P.W.D.

Ref:- In continuation of DGW Memorandum No. DGW/CON/71 dated 1.7.84.

It has been decided that in partial modification of item-7 of application Form circulated in the said Memo, contractors who have not executed any works in CPWD in the last 5 years that is from 1.8.1989 onwards, may if they so desire indicate the details of works of appropriate magnitude for which they unsuccessfully submitted tenders during the last five years in CPWD. Such of those contractors may also submit details of works of appropriate magnitude executed for other Government/Semi-Government and Autonomous Organisations on the basis of their enlistment in C.P.W.D.

With this in view, Note-4 may be added under item-7 of the Application form for revalidation as under:-

NOTE-4: The Contractors may, if they so desire, indicate the details of works of appropriate magnitude for which they unsuccessfully submitted tenders in CPWD during last five years. (1.8.89 onwards)

They may also submit details of works of appropriate magnitude executed for other Government/Semi-Government and autonomous agencies on the basis of their enlistment in C.P.W.D.

*S. Satakdhan*  
( S. SATAKDPAN )  
F.O. TO D.G ( WORKS )

Issued from File No. 14/3/90-A&C

To

1. All CEs in CPWD and PWD (DA)
2. All SEs/EEs/SSWs/Project Managers/Director of Hort./  
Dy. Director of Hort. in CPWD and PWD (DA).
3. Chief Controller of Accounts, Ministry of Urban Development.



Government of India  
Directorate General of Works  
Central Public Works Department  
Nirman Bhavan, New Delhi.

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DG(W)/CON/75

Dated the 27 Oct. '94

OFFICE MEMORANDUM

Subject: Verification of eligibility and technical capability etc. of contractors enlisted in MES/Railways/State PWDs for Tendering in CPWD.

Reference: This Directorate O.M. No. :

- i) DGW/CON/9 dated 15.9.87.
- ii) DGW/CON/55 dated 2.2.93.
- iii) DGW/CON/68 dated 24.6.94.

In supersession of above office memos, provisions of Paras 19.14(c) of CPWD Manual II (1988 Edition) are modified as under. The Manual will be amended in due course.

(c) The criteria for issue of tenders in CPWD in respect of eligible CPWD as well as non-CPWD contractors will be as under:-

(i) For works costing above Rs.25 lakhs and upto Rs.2 crores, tender may also be issued to eligible non-CPWD contractors provided they have satisfactorily completed three works, each costing an amount equal to 30% of the estimated cost of the work for which tender is to be invited. This is subject to the condition that value of each such work should not be less than Rs.15 lakhs.

(ii) For works costing over Rs.2 crores and upto Rs.5 crores, tenders may be issued to eligible CPWD and non-CPWD contractors provided they have satisfactorily completed three works individually of the magnitude shown below during the last 5 years.

- |  |   |
|--|---|
| - For works estimated to cost above Rs.2 crores upto Rs.3 crores | ( ) Three works each costing Rs.75 lakhs. |
| - For works estimated to cost above Rs.3 crores upto Rs.5 crores | ( ) Three works each costing Rs.1 crore.  |

(iii) For works costing over Rs.5 crores the tenders may be issued to eligible CPWD and non-CPWD contractors provided they have satisfactorily completed three works individually of the magnitude shown below during the last 7 years.

- |   |  |
|---|--|
| - For works estimated to cost above Rs.5 crores | ( ) Three works each costing Rs.2 crores or Two works of aggregate cost not less than Rs.6 crores. |
|---|--|

(Issued for F.No. 4/16/92-CW.Bd.)

( S. Satakopan )  
F.O. to DG(W).



GOVERNMENT OF INDIA  
CENTRAL PUBLIC WORKS DEPARTMENT  
DIRECTORATE GENERAL OF WORKS

NIRMAN BHAVAN, N.Delhi-110001

Ms.DG(W)/Con./76

Dated the

16 MAR 1995

SUBJECT : Watch on progress in Arbitration/Court cases.

It has come to notice that in case relating to an arbitration award, which the Department had decided to contest in the Court, the Executive Engineer did not keep track of the progress of the case in the court and did not file the objections in time. On the date of the judgement, the contractor was present in the court but the Department was entirely unrepresented.

Ministry of L & W, to whom this case was referred, have quoted the observations made by the Supreme Court in a recent judgement which are as follows :

"Putting the entire blame upon the advocate and trying to make it out as if they were totally unaware of the nature or significance of the proceedings is a theory which cannot be accepted".

Superintending Engineers and Executive Engineers have to ensure that the interest of the Department is safeguarded in Litigation matters in courts. Merely handing over the papers to the advocates is not sufficient. For this purpose they have also to keep a watch on the progress of court cases and maintain a close liaison with the advocates so that the cases are not lost by default.

All Superintending Engineers and Executive Engineers should be advised suitably.

This issue from File No.1/1/94.

*S. Satakopan*

(S.SATAKOPAN)

FINANCIAL OFFICER TO DG(W)

To

1. All CEs in CPWD & PWD (DA)
2. All SEs/EEs/SSWs/Project Manager/Director of Horticulture, Dy. Director of Hort., in CPWD & PWD (DA).
3. Chief Controller of Accounts, Ministry of Urban Development.
4. M/o U.D.(W3 Section), New Delhi.
5. Incharge, Security Section, CPWD Section, CPWD, New Delhi.
6. Er-in-Chief, Army HQ Kashmir House, New Delhi.
7. Chief Engineer, NDME, Palika Kendra, New Delhi.
8. Municipal Engineer, MCD, Town Hall, Delhi-6.
9. CE(Irrigation and flood), Delhi Admn. Delhi.
10. University Engineer, University of Delhi, Delhi-7.
11. CE(Civil)Construction Wing, AIR, Jam Nagar House, New Delhi.
12. FO to DDG(BW)Deptt. of Telecom, 6th floor, Sanchar Bhavan.
13. SE-in-charge, AIIMS, Ansari Nagar, New Delhi.
14. Engineer Member, DDA Vikas Minar, New Delhi.
15. Income Tax Officer, Contractors Circle, Vikas Bhavan, ITO
16. F.O. to DG(W)CPWD New Delhi.
17. DW(S&P)P&WA and PM CPWD, Nirman Bhavan, New Delhi.
18. Section Officer, W-I & W II Section, CPWD Nirman Bhavan,
19. Counsel, CPWD, Nirman Bhavan, New Delhi.

Government of India  
Directorate General of Works  
Central Public Works Department

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No.DGW/CON/84

New Delhi, dated the 30.6.1995.

Subject : Composite Contracts - Instructions for award of.

For certain works, it may be expedient/necessary to award Composite Contracts comprising of :

- (i) Civil works,
- (ii) Electrical works; and
- (iii) Horticulture works  
or any combination thereof.

2. In partial modification of this office G.M.No.CE/CON/607 of Sep., 1975, it has been decided that, composite tenders may be called at the discretion of the Chief Engineers, if the combined estimated cost of different components put to tender exceeds Rs.50.00 lakhs. For works whose combined estimated cost put to tender exceeds Rs.180.00 lakhs, prior approval of DGW shall be obtained before calling composite tenders.

3. Following instructions are issued with regard to operation of Composite Contracts.

- (i) Specialised works such as those relating to lifts, sub-station equipment, air-conditioning etc. should not be included in the composite tenders.
- (ii) Detailed estimates for different components will be technically sanctioned by the competent authorities of the respective discipline.
- (iii) Draft tender documents comprising of Schedules 'A' to 'F' of "General Conditions of Contract for C.P.W.D. works, 1995", Special Conditions/Specifications and drawings shall be prepared separately for each component and put together for the purposes of issue to the intending tenderers.
- (iv) The N.I.T. will be approved by the Chief Engineer who controls the discipline relevant to the major component of the total work. He will also nominate the Division(s) which will deal with all matters relating to invitation of tenders.



Directorate General of Works  
Central Public Works Department  
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No. DGN/CON/85

30 June, 1995

OFFICE MEMORANDUM

SUBJECT:- INTRODUCTION OF NEW CONTRACT FORM CPWD-7/CPWD-8 FOR CPWD WORKS : EXCESS OVER DEVIATION LIMIT UNDER CLAUSE 12

As per the provisions of Clause 12.1.2 vi (A) & vi (B), payment for quantities which exceed the deviation limit stipulated in Schedule-F for any individual item of work will be made as per provisions contained in Clause 12.2 or 12.3. In all such cases, payment for quantities exceeding the deviation limit will be made with the prior approval of the authority who accepted the tender, subject to provisions of para 2 below. In cases of tenders accepted by the AE, payment for quantities exceeding the deviation limit will, however, be made with the prior approval of EE.

2 In cases where, for quantities exceeding the deviation limit, the rates proposed to be paid under clause 12.2 or 12.3 are higher/lower than the Agreement rates, the officers' powers to sanction rates for such items together with extra/substituted items shall be clubbed together for determining the extent to which the officers can sanction these items. The rates to be sanctioned under clause 12.2 and 12.3 will be considered as for non-schedule items for exercising the delegation of powers in this regard.

3. Deviation statement for items whose quantities exceed the deviation limit will be prepared in two parts.

Part I - To be paid at agreement rates.

Part II - To be paid at rates other than the agreement rates.

Total amount of items under Part II will be counted towards the delegation of powers for extra/substituted/deviated items.

4. The procedure regarding abnormally high/low rated items will remain as per existing instructions.

5. Amendment to CPWD Manual Vol.II, in this regard, will be made in due course.

(Issued from file: 18/1/75/A&C (DGN))

*S. Satakopan*  
(S. Satakopan)  
Fo to DG(W)

Copy to :-

All Chief Engineers/Superintending Engineers/Executive Engineers, CPWD.



GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF INDIA  
CENTRAL PUBLIC WORKS DEPARTMENT  
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NO. DG(W)/CON/87

Nirman Bhawan, New Delhi  
Dated the 14th September, 1995.

OFFICE MEMORANDUM

Sub : Enhancement of tendering limits and revision of eligibility criteria for applicants seeking enlistment in various Categories/Classes of Contractors in CPWD.

Ref : O.M. No. DGW/CON/44 dated 3.6.92.

It has been decided to revise the tendering limits of CPWD Contractors enlisted in various categories/classes as well as eligibility criteria for contractors seeking fresh enlistment with effect from 15.9.95 as given below. For purpose of fresh enlistment, following criteria regarding cost of works (three works each of the specified magnitude) required to be completed during the last 5 years and the minimum limits of Solvency Certificate to be obtained, will be applicable in respect of all applications received on or after 15.9.95. Applications received upto 14.9.95 for enlistment will be processed on the basis of criteria contained in Ministry of Urban Development O.M. No. 28012/29/91-W3 dated 9.4.92 reproduced in DG(W) O.M. referred to above.

CATEGORY	TENDERING LIMITS AS REVISED	VALUE OF EACH COMPLETED WORK (MINIMUM) DURING THE LAST 5 YEARS	MINIMUM LIMIT OF SOLVENCY CERTIFICATE
<u>BUILDING &amp; ROADS</u>			
Class I	Upto Rs. 5 Crores(**)	Rs. 60 Lakhs	Rs. 2 Crores.
Class II	Upto Rs. 1 Crore	Rs. 25 Lakhs	Rs. 60 Lakhs.
Class III	Upto Rs. 40 Lakhs	Rs. 10 Lakhs	Rs. 25 Lakhs.
Class IV	Upto Rs. 15 Lakhs	Rs. 3 Lakhs	Rs. 10 Lakhs.
Class V	Upto Rs. 5 Lakhs	Nil	Dispensed with.

(\*\*) To be applicable after enlistment of contractors in Class I A (see para 2).

ELECTRICAL

Class I	Upto Any amount	Rs. 5 Lakhs	Rs. 50 Lakhs
Class II	Upto Rs. 10 Lakhs	Rs. 3 Lakhs	Rs. 8 Lakhs
Class III	Upto Rs. 5 Lakhs	Rs. 1 Lakh	Rs. 4 Lakhs
Class IV	Upto Rs. 1 Lakh	Nil	Dispensed with.

FURNITURE

Class I	Upto any amount	Rs. 5 Lakhs	Rs. 25 Lakhs
Class II	Upto Rs. 10 Lakhs	Rs. 3 Lakhs	Rs. 8 Lakhs
Class III	Upto Rs. 5 Lakhs	Rs. 1 Lakh	Rs. 4 Lakhs
Class IV	Upto Rs. 1 Lakh	Nil	Dispensed with.

Contd...2/-



2. It has also been decided to revive Class I-A in B&R Category, earlier kept in abeyance vide O.M. No. DGW/Con/7, dated 19.8.87. The qualifying criteria for this class is indicated below. Contractors already enlisted in Class I-A as per old rules, will be required to apply afresh, as per revised criteria for enlistment in this class.

Class I-A (B&R)

Tendering Limit : Un limited.

Value of works required to be executed : Three works each costing Rs. 2 Crores or more or two works of aggregate cost not less than Rs. 6 Crores during the last 5 years.

Minimum monetary limit of Solvency Certificate to be obtained from a Nationalised Bank. : Rs. 3 Crores.

It has further been decided that until the process of initial enlistment in Class I-A (B&R) is completed (the date will be notified in due course), contractors already enlisted in Class I (B&R) will continue to be permitted to tender for works without any limit subject to the provisions of O.M. No. DGW/CON/75, dated 27.10.94 or any other instructions which may be issued in this regard.

3. The limits of working capital certificate required for registration in different Categories/Classes of Contractors under Class-II Rules of Registration have also been reviewed and revised as under, effective 15.9.95.

<u>BUILDING &amp; ROADS</u>		<u>REVISED LIMITS</u>	
Class I A ( whenever made applicable )		Direct Entry in these classes is not permitted under Class II Rules.	
Class I			
Class II			
Class III Grad - 3 years	Rs. 4 lakhs )	..... Minimum amount of working capital certificate.	
Class IV Diploma - 10 years	Rs 1.5 lakh )		
Class IV Graduate No exp. Diploma 5 years			
<u>ELECTRICAL</u>			
Class I		Direct Entry in this Class is not permitted under Class II Rules.	
Class II	Rs. 3 lakhs )	Minimum amount of working Capital Certificate.	
Class III	Rs. 75,000/- )		

4. CPWD Manual Volume II (1988) will be amended in due course.

( S. SATAKOPAN )

Financial Officer to D.G.( Works)

Copy to :-

1. Ministry of Urban Affairs & Employment, Works Division.  
The revision of limits and other decisions as communicated above were approved in the 6th Meeting of the Central Works Board held on 30.8.95.
2. Chief Controller of Accounts, M/o Urban Affairs & Employment.
3. All CEs/SEs/EEs/Directors/Dy. Directors of Horticulture/Project Managers.
4. As per Standard Mailing list (Overleaf).



240

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

No. DGW/CON/90

Hiran Bhatnagar, New Delhi, 17.11.95  
Dated the

CIRCULAR

Sub. : Revalidation of enlistment of contractors in  
CPWD - Class I (M&R)

Ref. : This Directorate Circular No. DGW/CON/78 dt. 26.12.94

\*\*\*\*\*

CPWD contractors who were enlisted in Class I (M&R) vide orders of DGW quoted below have not qualified for revalidation of their enlistment. The validity of their enlistment has expired on the dates indicated in the last column below. The contractors have been informed individually.

<u>S.No.</u>	<u>File No.</u>	<u>Name &amp; Address</u>	<u>Previous enlistment Order No. &amp; Date</u>	<u>Date of expiry of validity</u>
1.	1474	M/s G.S.K. Bina Constructions C-6/6/4 : 1, Sector-6, CBD, New Bombay-400614.	567 (M&R) Dt. 18.2.92	17.2.95
2.	1503	M/s Ekanet Properties & Industries Limited, 102-103, Raja House, 30-31, Nehru Place, New Delhi-110019.	569 (M&R) Dt. 9.3.92	8.3.95
3.	1521	M/s M.K. Builders(Pvt.) Ltd., No.1, 225/A, Amgriha Apts, Rukmini Devi Colony, West Marredpally, Secunderabad-26.	580 (M&R) Dt. 17.8.92	16.8.95
4.	1386	Shri M. Ramanaiah Mutyalampadu, Vijayawada-11.	572 (M&R) Dt. 31.3.92	30.3.95

( S. SATHYAN )

P.O. TO D.G. (WORKS)

V/m

.....2/-

296

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

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No. DGW/CON/93

Dated the 19-1-1996

OFFICE MEMORANDUM

Subject:- Time-Limit for Publicity of Tenders (between the date of call of tenders and their opening).

\*\*\*\*\*

The time limits between the date of call of tenders and their opening have been laid down in para 18.6 of the CPWD Manual Vol. II (Govt. Publication, 1988 Edition). It has now been decided that henceforth these limits shall be observed as follow. The limit may be varied at the discretion of the officer competent to accept the tender. However, any reduction in the time specified shall be effected only in rare cases and the authority ordering reduction will record reasons for the same:

- 10 days in the case of works costing upto Rs. 10 lakhs.
- 2 weeks in the case of works costing between Rs. 10 Lakhs and Rs. 50 lakhs.
- 3 weeks in the case of works costing more than Rs. 50 lakhs.

In case of works estimated to cost more than Rs. 2 lakhs a brief advertisement inviting tenders shall invariably be inserted in the Press.

The above time limits will not apply to global tenders and in such cases ad hoc decision should be taken for fixing the period.

Suitable amendments to paras 18.6 & 18.1.2 of CPWD Manual Vol. II (1988) will follow in due course.

(P.K. Mathur)

Superintending Engineer (C&M)  
for Director General of Works.

(Issued from F.No. 10/1/96/C&M/DG(W).

Copy forwarded to:-

1. All Chief Engineers in CPWD & CE(DAZ)-I, CE(DAZ)-II & CE(XBP)
2. All SEs/SSWs/EEs/Project Managers/Director of Horticulture/  
Director of Horticulture in CPWD and PWD Delhi Administra-  
tion.
3. Ministry of Urban Affairs and Employment (W.3 Section),  
Nirman Bhawan, New Delhi (2 Copies).

Contd...2/....

298

Government of India  
Central Public Works Department  
SE (C&M) Unit

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No. DGW/CON/94

Nirman Bhavan, New Delhi.  
Dated the 13.5.96

CIRCULAR

Subject:- Revalidation of Enlistment of contractors in C.P.W.D.  
as Class-I(2&R).

\*\*\*\*\*

M/s Radha Krishan Kowalram & Co., A-22, Shiv  
Co-operative Housing Society Ltd., Thana-3 (East) were  
enlisted on 23.11.87. The firm was debarred by C.P.W.D. for  
one year w.e.f. 5.1.94.

M/s Radha Krishan Kowalram & Co., have not applied  
for revalidation of their enlistment. Hence their name is  
weeded out from the approved list of contractors.

*(Signature)*  
Superintending Engineer(C&M)  
Room No.432-A, Wing,  
CPWD, Nirman Bhavan,  
New Delhi.

Copies to:-

1. All CEs/SEs/REs.
2. Engineer-in-Chief, Army HQ, Kashmir House, New Delhi.
3. Director/Dy. Directors Horticulture in CPWD, PWD(DA).
4. Chief Engineer, NDNC, New Delhi.
5. Municipal Engineer, MCD, New Delhi.
6. Engineer Member, DDA, Vikas Sadan, New Delhi.
7. F.O. to DGG(W) Deptt. of Telecommunications, Sanchar Bhavan, New Delhi.
8. University Engineer, University of Delhi, Delhi-7.
9. CE(Civil), Civil Construction Wing, AIR, PTI Building, Parliament Street, New Delhi.
10. Chief Engineer & Administrator, Andaman & Lakshadweep Harbour Works, PORT BLAIR.
11. M/s Radha Krishan Kowalram & Co.,  
A-22, Shiv Co-operative Housing  
Society Ltd.,  
Thana-3 (East).

*(Signature)*  
Executive Engineer (CS)  
Room No.335-A, C.P.W.D.  
Nirman Bhavan,  
New Delhi.

299

Government of India  
Directorate General of Works  
Central Public Works Department  
\*\*\*\*\*

No. DG(W)/CON/95

Dated the, 17th April, '96  
30

Subject: Composite contracts - Instructions for award of.  
\*\*\*\*\*

In partial modification of this Office circular No. DGW/CON/84 dated 30.6.95, it has been decided that composite tenders may be called at the discretion of the Chief Engineers for the following types of works:

- (i) Where cost of civil component exceeds Rs. 1 crore:
- (ii) Works where inviting composite tender is a requirement of the client or the funding agency;
- (iii) Works considered expedient by the concerned C.E. keeping in view availability of the contractor for the minor component, location of site and for time bound projects, including works located in remote areas.

For works whose combined estimated cost put to tender exceeds the power of acceptance of tender of Chief Engineer, prior approval of DG(Works) shall be obtained before calling composite tenders.

Para 17.6.1 of Central Public Works Department Manual Vol.II will be amended in due course.



(P.K. Mathur)  
Superintending Engineer(C&M)

(Issued from F.No. 10/1/96/SE/CM)

Copy forwarded to the officers as per mailing list.



Government of India  
Directorate General of Works  
Central Public Works Department

\*\*\*\*

No. DGW/CON/96

Nirman Bhavan, New Delhi,  
Dated the 26 May 1996.


OFFICE MEMORANDUM

Subject:- Price preference to the contractors belonging to SC/ST for award of contracts in respect of Central Public Works Department Works.

\*\*\*\*\*

In continuation of this office Memo No. DGW/CON/66 dated 30.3.94, a copy of Ministry of Urban Affairs and Employment (Works Division) No. 28012/38/83-W4-W-3 dated 10.4.96 is forwarded herewith for information and guidance.

Encl :- One.

  
( P.K. Mathur )  
Superintending Engineer (C&M)

(Issued from file No. 15/1/96-SE(C&M)).

No.28012/38/83-W1-W3  
Government of India  
Ministry of Urban Affairs and Employment  
Deptt. of Urban Development  
(Works Division)  
\*\*\*

New Delhi, dt. the 10.4.96

To

The Director General (Works),  
CPWD, New Delhi.

Sub : Price preference to the contractors belonging  
to SC/ST for award of contracts in respect of  
CPWD works

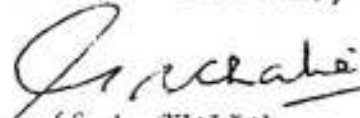
\*\*\*\*\*

Sir,

I am directed to refer to your I.D. No.15/2/81-M&C  
(DGW) dated 9.1.96 on the subject mentioned above and  
to convey the approval of the Government to the continu-  
ance of the following concessions for another period of  
two years from 1.1.1996 :-

- (i) For contracts up to the value of Rs.40,000/- a  
price preference up to 5% may be allowed in  
favour of individual SC/ST contractors. In such  
cases, tenders may be entertained even from non-  
registered contractors without deposit of earnest  
money.
- (ii) In respect of estimated cost put to tenders from  
Rs.40,000/- to 1 lakh, tenders may be obtained only  
from registered contractors. The price preference  
upto 5% may be allowed in favour of individual  
SC/ST contractors. However, earnest money at a  
reduced rate of 1% may be accepted in such cases.  
These will be applicable prospectively from the  
date of issue of orders.
- (iii) In all such cases, the above concessions shall be  
allowed only after proper verification of the  
individual contractors claim of belonging to a  
SC or ST community, as the case may be.
3. The position will be reviewed three months before  
the expiry of the period of these extension.
4. This issues with the concurrence of Finance  
Division (W&E) vide their no. 598-F dated  
8.4.1996.

Yours faithfully,

  
(G.S. CHALIA)  
Desk Officer - W3  
Tel : 3013079

2

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT  
NIRMAN BHAWAN: NEW DELHI.

No.DGW/CON/97

Dated: 3/ May, 1996.

OFFICE MEMORANDUM

Subject: Introduction of purchase preference clause in tender documents of CPWD

In consonance with Government of India policy to allow purchase preference to Central Government Public Sector Enterprises including construction and service enterprises for a period upto 31.3.97 (Reference Government of India, Ministry of Industry, Department of Public Enterprises No.DPE/13(19)/91-Fin, dtd 15.3.95), a clause needs to be introduced in the NIT. Accordingly, it has been decided that clause 10 of CPWD - 6 may be replaced with the following amended clause in case of all tenders to be invited/received on or before 31.3.97. The competent authority approving the NIT shall make necessary amendment in the relevant CPWD-6 in individual cases.

Amendment No.1 to CPWD - 6

"The competent authority on behalf of President of India does not bind itself to accept the lowest or any other tender, and reserves its right to reject any or all of the tenders received without the assignment of a reason.

The competent authority also reserves its right to allow to the Central Government Public Sector Enterprises a purchase preference with reference to the lowest valid price bid where the quoted price is within 10% of such lowest price, other things being equal, in case of tenders whose date of receipt is upto 31.3.97.

All tenders, in which any of the prescribed conditions are not fulfilled or are incomplete in any respect, are liable to be rejected".



(P.K. Mathur)  
Superintending Engineer (C&M)

(Issued from file No.30/1/96/SE/CM)

PTO

Government of India  
Directorate General of Works  
Central Public Works Department  
(Nirman Bhavan New Delhi)

\*\*\*\*\*

No.DGW/CON/103

Dated the 30-4-97  
9-1-97

OFFICE MEMORANDUM

Authorities for Enlistment of Contractors in various Classes/Categories have been notified vide this Directorate Office Memorandum No.DGW/CON/102 dated the 23rd December, 1996. For enlistment of contractors in Class-II, which has to be on Regional basis, the Regional ADGs have been delegated the powers for enlistment. However, it has been decided that till the Regional ADGs take their positions in due course of time the enlistment at regional level shall be done by the designated Chief Engineers listed below:-

Region

Designated Chief Engineer

ADG(S&P), ADG(DR)  
and ADG(TD) : SPG, SPMP, :  
                  : NZ(Elect). :

CE(NDZ)-III, New Delhi.

ADG(TD) : NZ-I, NZ-II, NZ-III

CE(CSQ), New Delhi.

ADG(WR)

CE(WZ)-I, Mumbai.

ADG(ER)

CE(EZ)-I, Calcutta.

ADG(SR)

CE(SZ)-I, Chennai.



( P.K. Mathur )  
Superintending Engineer(C&M)  
CPWD, Nirman Bhavan, New Delhi.

Vm  
(Issued from File No.14/7/96-SE(C&M)).

Copy to all concerned (as per mailing list attached).

Contd../.....2/.....



Government of India  
Directorate General of Works  
Central Public Works Department  
Chief Engineer (CSQ)  
Contracts and Manual Unit

\*\*\*\*\*

No.DGW/CON/ 104

Nirman Bhavan, New Delhi.  
Dated the ~~April~~ 97.

8/5/97

OFFICE MEMORANDUM

Subject:-Common Irregularities in execution of Works -  
Tenders and Contracts.

\*\*\*\*\*

In partial modification of O.M.No.DGW/CON/21 dated 12.8.88, Para 14 of letter No.DR-I-CTE-14 dated 1.2.1988 from Chief Technical Examiner, New Delhi on the above subject, enclosed with the said O.M. dated 12.8.88, is hereby, withdrawn.

Latest guidelines given by Chief Technical Examiner for Earnest Money vide Para 3.8 of letter No.8-W-DSP-12 dated 10.9.92 are as under:

"In many cases it was found that there was no fixed policy in regard to earnest money. Some times tenders without earnest money were considered and sometimes they were rejected outright in order to favour a particular contractor. The Primary purpose of earnest money is to ensure that the contractor starts the work when his tender is accepted. In case of his failure to do so, his earnest money is forfeited. It is also stipulated in some Tender Documents that about 10% of the Earnest Money will be forfeited in case the tenderer withdraws his offer or modifies his offer in a manner unacceptable to the organisation within the validity period stipulated in the Tender Document.

Since any relaxation of the rule regarding earnest money would encourage future tenderers to submit tenders without earnest money, the rules should lay down that tenders without earnest money will not be considered at all and this should be adhered to strictly.

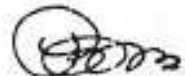
It has been represented by some Public Sector undertakings that reputed firms like M/s Larsen and Teubro, Siemens etc. are not willing to furnish earnest money alongwith their tenders and consequently tenders from such reputed firms cannot be considered. It has also been represented that firms supplying specialised items of equipments do not furnish earnest money with their tenders. If at all such situations arise, it would be necessary to obtain prior approval of the Board of Directors to consider tenders for such items not accompanied by earnest money."

In view of the above observations of the Chief Technical Examiner, it has been decided by the Director General (Works) that tenders without earnest money shall not be entertained. In any exceptional case, where due to any compelling reasons it is considered desirable to consider a tender without earnest money, prior written approval of the DG(W) will be necessary.

The above instructions should be scrupulously followed.

Necessary amendments in the Central Public Works Department Manual will be incorporated in due course of time.

This issues with the approval of DG(W).



Superintending Engineer (C&M)  
CPWD, Nirman Bhavan, New Delhi.

Vm

(Issued from file No.30/1/96-SE(C&M)).

Copy to all as per mailing list attached.

**Government of India  
Directorate General of Works  
Central Public Works Department  
C.S.Q. Organisation  
Contracts & Manual Unit**

No. DGW/CON/105

Nirman Bhawan, New Delhi

Dated the

30.5.97

**OFFICE MEMORANDUM**

**SUBJECT : - DECENTRALISATION OF ENLISTMENT OF CONTRACTORS.**

Attention is invited to this Directorate Office Memorandum No. DGW/CON/102 dated the 23rd December, 1996 defining the authorities for enlistment of contractors under various classes and their jurisdictions. Doubts have been raised that the previously enlisted contractors under Class-II and Class-III who could tender on All India basis and Zonal basis ( each Zone comprising of one or more states) respectively shall have advantage over the newly enlisted contractors under these classes who can now tender on regional (region meaning the Region headed by an ADG) & Zonal ( zone meaning the Zone or state unit headed by a Chief Engineer ) basis respectively.

The matter has been examined and it is clarified that since the said advantage for the previously enlisted contractors over the newly enlisted contractors shall be only in the transition period, the fresh enlistments are to be done only in accordance with O.M. No. DGW/CON/102 dated 23.12.96. However, the revalidation of previous enlistment, whenever due, shall be done for the new jurisdictional areas. Before the case for revalidation of existing enlistment is considered, the contractor may be asked to indicate option for any one Region/Zone, as the case may be. It is also clarified that four old geographical Zones no longer exist as far as new enlistments are concerned.



Superintending Engineer (C&M)  
CPWD, Nirman Bhawan, New Delhi.

Issued from file No. 14/7/96/SE (C&M)

Copy forwarded as per mail list overleaf

Government of India  
Directorate General of Works  
Central Public Works Department  
Chief Engineer(CSQ)  
Contracts and Manual Unit

\*\*\*\*\*

No.DGW/CCN/106

Nirman Bhavan, New Delhi.  
Dated the 13-6-97

OFFICE MEMORANDUM

Subject:-CTE's observations - compliance thereof.

\*\*\*\*\*

Instances have come to notice of this Directorate wherein observations of Chief Technical Examiner are not attended to immediately resulting in delay in taking suitable action in the matters. It is, therefore, enjoined upon all concerned that the observations made by the Chief Technical Examiner organisations are attended to on priority basis.

This issues with the approval of DG(W).



( P.K. Mathur )  
Superintending Engineer(C&M)

lm

(Issued from file No.30/1/96-SR(C&M)).

Copy forwarded as per mailing list overleaf.

.....2/.....

Government of India  
Directorate General of Works  
Central Public Works Department  
Chief Engineer(CSQ)  
Contracts and Manual Unit

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No.DGW/CON/107

Nirman Bhavan, New Delhi.  
Dated the 16-6-97

OFFICE MEMORANDUM

Subject:- Black listing of contractors.

\*\*\*\*\*

The Hon'ble High Court of Delhi, in the case of Shri J.K. Goel Contractor VS U.O.I., observed that before taking decision for black-listing a contractor, the party should be afforded an opportunity of being heard.

It is, therefore, enjoined upon all concerned to keep in mind the above observation of the Hon'ble High Court before passing an order black-listing a contractor.

This issues with the approval of DG(W).



Superintending Engineer (C&M)  
CPWD, Nirman Bhavan, New Delhi.

Vm

(Issued from file No.30/1/96-SE(C&M)).

Copy forwarded as per mailing list overleaf.



**Government of India  
Directorate General of Works  
Central Public Works Department  
C.S.Q. Organisation  
Contracts & Manual Unit**

No. DGW/CON/108

Nirman Bhawan, New Delhi.  
Dated the 26-6-97

**OFFICE MEMORANDUM**

**Subject:- Provision for forfeiture of earnest money in NIQs.**

It has been observed that varying conditions are laid down in Notice Inviting Quotations for different works/supplies. In some NIQs a condition for depositing earnest money is also incorporated. In such NIQs, more often than not, the NIQ does not contain any condition regarding forfeiture of earnest money in case of failure of the contractor either in compliance of the conditions or commencing the work etc. with the result that the department is unable to take any action against the contractor in such exigencies. Therefore, **in all future NIQs where a condition is laid down to deposit earnest money**, the following provision should be made for its forfeiture.

"The quotation for the work/supply shall remain open for a period of \_\_\_\_\_ days from the date of opening of quotations. The Government shall, without prejudice to any other right or remedy, be at liberty to forfeit 50% of the earnest money if any quotationer withdraws his quotation before the said period or makes any modification in the terms and conditions of the tender which are not acceptable to the department, and to forfeit the whole of the earnest money if the quotationer, whose quotation is accepted, fails to commence the work/supply specified in the NIQ (along with changes in the scope, if any) in prescribed time or abandons the work/supply before its completion."



(P. K. Mathur)  
Superintending Engineer (C&M)

Issued from file No. 30/1/96-SE(C&M)

Copy forwarded as per mailing list overleaf.

**Government of India  
Central Public Works Department  
Directorate General of Works  
CSQ Organisation  
Contracts & Manual Unit**

No. DGW/CON/120

Dated Nirman Bhawan, New Delhi, the 8<sup>th</sup> May, 98

**OFFICE MEMORANDUM**

**Subject : Use of Standard Bidding Documents for World Bank Aided Projects.**

\*\*\*\*\*

CPWD is often entrusted with the execution of projects aided by the World Bank. Doubt has been raised regarding contract forms to be used on these works. It is clarified that for execution of projects aided by the World Bank, the guide lines and conditions provided in the Loan Agreement entered into between the World Bank and the borrower Government for carrying out the work shall be followed. This includes use of the Standard Bidding Documents finalised by the World Bank. The World Bank allows only minimum changes in the conditions of contract acceptable to the Bank which may be specific to the project. Such changes may be incorporated through additional conditions or contract-data-sheets and not by introducing changes in the standard wordings of the Standard Bidding Documents of the World Bank. Similarly, the two authorities for administering the contract for World Bank project viz. the 'Employer' & the 'Engineer' may be substituted with 'The Central Public Works Department represented by Chief Engineer / Superintending Engineer' and 'The Executive Engineer represented by Assistant Engineer / Junior Engineer' respectively and in the Additional Conditions of Contract, to be got approved by the World Bank representative, it may be mentioned that it shall be open for the Executive Engineer to invite a third party to inspect the work and advise him on the quality, workmanship etc. of the work.

This issues with the approval of DG(W).



(P.K.Mathur)  
Superintending Engineer(C&M)



# CENTRAL PUBLIC WORKS DEPARTMENT

OFFICE MEMORANDUM  
NO.DGW/CON/152

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAWAN, NEW DELHI

8 March, 2001

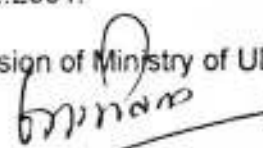
**PRICE PREFERENCE TO CONTRACTORS BELONGING TO  
SC/ST FOR AWARD OF CONTRACTS IN RESPECT OF WORKS IN  
CENTRAL PUBLIC WORKS DEPARTMENT**

In continuation to this Directorate O.M.No. DGW/CON/135 dated 20.12.99 the concessions admissible to the contractors belonging to SC/ST have been reviewed by the Ministry of Urban Development and the same have been revised as under:-

- i) For works upto an estimated cost of Rs.80,000/- a price preference upto 5% may be allowed in favour of individual SC/ST contractors. In such cases, tenders may be entertained even from non-registered contractors. No earnest money is required in such cases.
- ii) For works of estimated cost ranging from Rs.80,000/- to 2 lakh, tenders may be obtained only from registered contractors. The price preference upto 5% may be allowed in favour of individual SC/ST contractors. However, earnest money at a reduced rate of ½% may be accepted in such cases.
- iii) In all such cases, the above concessions shall be allowed only after proper verification of the individual contractor's claim of belonging to a SC or ST community, as the case may be.

These concessions will be admissible upto 31.12.2001.

This issues with the concurrence of Finance Division of Ministry of UD&PA.

  
(S.K. MITTAL)

SUPERINTENDING ENGINEER(C&M)

*Parties Duty*

*Parties*

*D'*

*285*

2-(a) Continuation Sheet

Sl.	Date	Orders
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14.02.2002

Present: Mr. Valmiki Mehta, Sr. Advocate with  
Mr. Sanjay Bansal for the petitioner  
Mr. Ashok K. Gupta for respondent/UOI.

CW No. 1123 & CM: 1843/02

Petitioner assails the withdrawal of Clause from the tender permitting exemption from payment of earnest money in view of lump sum deposit made by the registered contractor.

Issue notice to the respondents to show cause as to why rule nisi be not issued, returnable on 17.5.2002. Notice be also issued in CM for the date fixed.

Mr. Ashok K. Gupta accepts notice on behalf of respondent/UOI. Counter affidavit be filed within four weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.

In the meanwhile, respondent will not insist upon the payment of separate earnest money, in case lump sum money or fixed deposit had already been deposited.

DASTI.

February 14, 2002  
aka.

*Sd/-*

*Manoj Kumar Saxena Judge*

*True copy*

*✓*  
*Lawyer*



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No.DGW/CON/167

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHAVAN, NEW DELHI

DATED

12-8-2002

### **AMENDMENT NO.5 to GCC 2001 - PURCHASE PREFERENCE FOR PRODUCTS & SERVICES OF CENTRAL PUBLIC SECTOR ENTERPRISES APPLICABLE UPTO 31.3.2004**

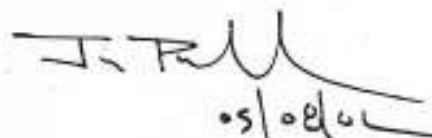
Copy of OM No. DPE/13(1)/2002-Fin dated 14.06.02 of Government of India, Ministry of Heavy Industries and public Enterprises, department of Public Enterprises is enclosed for information and guidance in so far as it relates to the contracts awarded in CPWD.

In consonance with the Government instructions in the above O.M. in case of all tenders/quotations to be received in CPWD on or before 31.03.04 for purchases and services for Rs. Five Crores and above, the following clause may be incorporated in the NIT/Agreement.

#### **Amendment to Condition No. 10 of Form CPWD 6**

The competent authority on behalf of the President of India does not bind himself to accept the lowest or any other tender and reserves to himself the authority to reject any or all the tenders received without the assignment of any reason. All tenders in which any of the prescribed condition is not fulfilled or any condition including that of conditional rebate is put forth by the tenderer shall be summarily rejected.

The competent authority also reserves its right to allow to the Central Government public sector enterprises joint venture with CPSE holding 51% equity or more, a purchase preference with reference to the lowest valid price bid where the quoted price is within 10% of such lowest price in a tender other things being equal in case of tenders/quotations whose date of receipt is upto 31.3.2004, subject to the estimated cost being of Rs. Five crores and above.

  
05/08/02





# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DGW/CON/ 168

ISSUED BY AUTHORITY OF DIRECTOR GENERAL OF WORKS

NIRMAN BHA WAN NEW DELHI

30.9.2002

Amendment No. 6 to General Conditions of Contract for CPWD Works 2001 and  
CPWD Form 6,7/8

Additions/Amendments to clauses of CPWD 6 & 7/8

To read "Junior Engineer" in place of "Assistant Engineer" at the places given as under:-

Reference to para & page Of CPWD form	Existing	To be read as
CPWD-6, Page 4, Para 13 & line 3	Assistant Engineer	Junior Engineer
GOC 2001, Page 5, Para 13 & line 4	Assistant Engineer	Junior Engineer

जय प्रकाश  
(J.P.Gupta)

16/9/02  
Superintending Engineer (C&M)

Issued from file CSQ/SE/CM/18/2/98/2002/  
Copy as per mailing list

292

Government of India  
Directorate General of Works  
Central Public Works Department

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No. BGW/CON/91

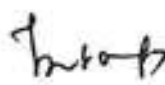
Dated 10<sup>th</sup> November, 1995.

Subject:- Non-Accounting and diversion of Government money  
for Deposit Works.

\*\*\*\*\*

A case has come to notice, in which deposits received from a Government Autonomous Body through Demand Draft, for execution of their deposit work, was neither reflected in the Cash Book of the Division nor credited to Government Account 'Public Works Deposits' as required in CPWD 'A' Code. The receipt of the Deposit was also not been recorded in the Deposit Register. The deposit was, however, invested in a nationalised Bank and was credited to Government Account on maturity of the deposit.

2. Retention of money outside Government Account and its investment in nationalised banks etc. are in contravention of the Rules. It is enjoined on all concerned that such instances are not repeated and procedures for accounting of public money as laid down, be strictly followed.

  
( S. SATAKOPAN )  
F.O to DG(WORKS)

Copy to:

1. All Chief Engineers in CPWD: CE(BAZ)I, CE(BAZ)II & CE(YSP).
2. All SBA/SSWA/ERs/Project Managers/Director of Horticulture/ Dy. Director of Horticulture in CPWD and PWD(BA).
3. Ministry of Urban Affairs and Employment (W.3 Section), Nirman Bhavan, New Delhi (2 copies).
4. Chief Controller of Accounts. Min. of W&E, Nirman Bhavan, New Delhi (2 copies).
5. Engineer-in-Chief, Army HQ, E-in-C's Branch, Kashmir House, BHQ. P.O., New Delhi-110 011.
6. Chief Engineer (Environment & Forests), Civil Construction Unit W/e Env. & Forests, 7th Floor, CGO Complex, Paryawaran Bhavan, Lodhi Road, New Delhi-110 003.
7. Chief Technical Examiner, Central Vigilance Commission, 10-A Jammagar House, Hutments, New Delhi.
8. Engineer Member, BDA, Vikas Sadan, INA, New Delhi-110 023.
9. Suptg. Engineer, Delhi University, Delhi-7.

.....2/-

294

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

No. DGW/CON/92

Nirman Bhawan, New Delhi,

Dated the 12-12-95

CIRCULAR

Subject: Revalidation of Enlistment of Contractors in CPWD  
as Class-I(Elect.)

The following contractors were enlisted in CPWD Class-I(E) vide DGW Orders quoted against each. They have not qualified for revalidation of their enlistment. Their enlistment in CPWD is cancelled with effect from the date of expiry of enlistment.

S.No.	Name & Address	Previous enlistment No. & Date	Date of expiry
1.	M/s Antia Electricals, 73, Jelly Maker Chambers, No.2, Nariman Point, Bombay-400 021.	O.O.No. 31 (E) Dt. 30.8.85	31.1.95
2.	M/s Zodiac Power Controls Ltd., B-17, 5th Floor, Everest Building, Tardeo, Bombay-400 034.	Dt. 11.5.83	31.1.95
3.	M/s Uttam Electric Works, 5, Gurdeep Niwas, Lala Lajpat Rai Road, Geraswadi Malad (West), Bombay-400 064.	Dt. 9.9.85	31.1.95

Copy to: As per list attached.

( S. SATABHAN )  
F.O. TO DG (WORKS)

No. 28012/46/85-W4  
Government of India  
Ministry of Urban Development  
(Works Division-W-3)

New Delhi, dated the 20th March, 87

To

The Director General(Works)  
Central Public Works Department,  
New Delhi.

Sub:- Consession to unemployed engineers and their societies in  
respect of award of work in the C.P.W.D.

-----

Sir,

I am directed to refer to your U.O.No.14/4/85-A&C(DGW)  
dated 9.3.87 on the above subject and to say that the President is  
pleased to further extend the concessions granted in this Ministry's  
letter No.28012/1/76-W4 dated 13.4.78 to unemployed engineers and  
their societies in respect of award of works in CPWD upto 28.2.88  
subject to the conditions stipulated in this Ministry's letter  
of even number dated 11th April,1985.

2. Efforts should be made by the Chief Engineers to popularise  
the scheme so that the contracts go to technically qualified  
unemployed engineers.

3. This issues with the concurrence of Finance Division(W&E)  
vide their U.O.No.676/W&E/DI(a)87 dated 18.3.1987.

Yours faithfully,

Sd/-(S.C. Gupta)  
Section Officer (Special)

Copy to:-

1. Director of Audit, Commerce, Works & Miscellaneous, New Delhi.
2. All the Chief Engineers in the Central Public Works Department.
3. All the Pay & Accounts Officers in the Central P.W.D.
4. Planning Commission(Man Power Directorate).
5. Ministry of Home Affairs.
6. Ministry of Energy(Department of Power).
7. Finance Division(W&E Unit).
8. Information Officer, Ministry of Urban Development.
9. Coordination Section, Ministry of Urban Development.
10. Section file/Guard file.

Sd/- (S.C. Gupta)  
Section Officer(Special)



Government of India  
Directorate General of Works  
Central Public Works Department

.....

No.DGW/Con/7

New Delhi, the 19/8/1987

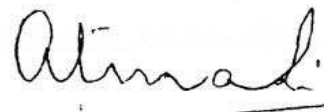
OFFICE MEMORANDUM

Sub:- Amendment to rules for enlistment of contractors in  
C P.W.D. - Creation of new Class-IA (B&R).

.....

Reference is invited to this office Memo. No.CE/Con/838 dated 24.1.86 where under it was decided to restrict the tendering limit of Class-I(B&R) Contractors in this department to Rs. 1 Crore and open tenders for works costing more than Rs. 1 Crore to Contractors to be enlisted in Class-IA(B&R) with effect from 1.8.86. Due to non-enlistment of sufficient numbers of Contractors in Class-IA(B&R), the effective date was extended time and again from 1.8.86 to 1.11.86 and then to 1.2.87 and lastly to 1.7.87.

It has now been decided by the Director General of Works to extend the effective date till further orders. Accordingly tenders to contractors enlisted in Class-I(B&R) may now be sold without any limit till further orders.



( A.S. SIDHU )  
F.O. to D.G.(Works)

Copy to:-

1. All CEs/SEs in CPWD (including Horticulture Directorate, Delhi Admn., and Arunachal Pradesh).
2. All EEs(Civil) in CPWD (including Horticulture Directorate, Delhi Admn. and Arunachal Pradesh).

They are requested to bring the contents of this Memorandum to the notice of all Class-I(B&R) contractors working under their Divisions against proper acknowledgement.



Directorate General of Works  
Central Public Works Department

No.DGW/CON/8

New Delhi, Dated the

7 DEC 1987

OFFICE MEMORANDUM

~~Subject:~~ Tender opening - Noting down corrections/  
peculiarities of rates quoted by contractors-  
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In spite of instruction issued from time to time cases have come to notice which indicate that proper attention is not paid to the procedure laid down in Section 20 of the C.P.W.D. Manual Vol.II relating to receipt and opening of tenders and their acceptance is not being observed. This results in complications and doubts at later date requiring disciplinary action against the defaulting officers. In many cases such lapses place the Department in an awkward position.

All the officers responsible for opening the tenders/quotations are requested to ensure that the relevant instructions contained in Section 20 of C.P.W.D. Manual, Vol.II relating to receipt and opening of tenders and their acceptance are scrupulously followed. Divisional Accountants (or the other officials) while taking over the tenders from the tender opening officers must ensure that the prescribed procedure has been followed.

*A. S. Sidhu*

(A.S./SIDHU)

F.O. TO D.G.(W).

(Issued from File No.4/6/87-CWBd.)

15/11

To

1. All CES/SES in CPWD (including Horticulture Directorate, Delhi Admn. and Arunachal Pradesh).
2. All SWS/EEs in CPWD (including Horticulture Directorate, Delhi Admn. and Arunachal Pradesh).
3. The Central Builders Association (Regd.), 44/1, Regal Building, New Delhi.
4. Builder's Association of India, G-1/G-20, Commerce Centre, 7th Floor, Tardeo, Bombay-400034.
5. F.O. to DDG(BW), Deptt. of Telecom, 6th Floor, Sanchar Bhavan, New Delhi-1.
6. CS(Civil) Construction Wing, AIR Samachar Bhawan, New Delhi.

Contd... 2/-

Directorate General of W.O.  
Central Public Works Department.

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61

No: DG(W)/CON/20

New Delhi,  
Dated the,

7 JUL 1986

OFFICE MEMORANDUM.

Sub :- Contract Matters Preparation of Select List.

It is found that the CE's frequently submit the proposals for approval of DG(W) for restricted call of tenders, Without justifying the circumstance as laid down in the CPWD Manual Vol.II under para 3 of Section 18.

In order to avoid this frequent practice, and only in the cases of the work of special nature etc. the approval of DG(W) should be sought, it has been decided that henceforth CE's should prepare a select list for special type of works only after inviting application for prequalification through a press notice so that all parties who are competent in the line and are anxious to participate in the tender can avail of the opportunity to do so. This procedure is all the more necessary when repetitive type of works are to be taken up by the Deptt.

P.C. SUD

(P.C. SUD).  
Financial Officer to D.G.(Works).

Issued from File No. 4/8/87-CWBd.

To,

1. All CEs/SEs in CPWD (including Hort. Directorate, Delhi Admn. and Arunachal Pradesh).
2. All EEs(Civil) in CPWD (including Horticulture Directorate, Delhi Admn. and Arunachal Pradesh.).
3. F.O. to DDG(BW), Deptt. of Telecom, 6th Floor, Sanchar Bhavan, New Delhi-1.
4. CE(Civil) Construction Wing, AIR Samachar Bhavan, New Delhi.
5. SE-in-Charge, AIIMS, Ansari Nagar, New Delhi.
6. Engineer Member, DDA, Vikas Minar, New Delhi.
7. Director of Audit, CW & M, New Delhi.
8. Municipal Engineer, Municipal Corporation of Delhi, Town Hall, New Delhi.
9. Chief Technical Examiner, CVC, New Delhi.
10. Chief Engineer, Ministry of Development, PWD, Bhutan.
11. Arbitration Cell, Ministry of Urban Development.
12. Director of Accounts, Works Audit Section Directorate of Accounts, Panaji, Goa.

130  
GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

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NO.DGW/CON/45

New Delhi, dated the .6.92

Memorandum

Subject : Issue of materials free of Cost to contractors.

\*\*\*

In contracts entered into by the department for works, stipulation to issue departmental materials such as steel, cement etc. free of cost, should be avoided. However, in some exceptional cases, if such free issue of departmental materials is stipulated, it should be ensured that suitable provisions are made in the contract with regard to return of surplus materials and/or material used in excess of theoretical requirement. The provision for wastage, if any, that will be permitted should be clearly indicated. The recovery rate for effecting recovery from the contractor, in case the excess materials are not returned or if the wastage is more than the permissible limit, should also be clearly stipulated.

(VIJAY MOTWANI)  
F.O TO D.G. (WORKS) /

(Issued from file No. 11/1/91-A&C(DGW))

To

1. All CEs in CPWD, & PWD(DA).
2. All SEs/EEs/SSWs/Project Manager/Director of Horticulture, Dy. Dir. of Hort., in CPWD. *2 PWD(DA)*
3. Chief Controller of Accounts, Ministry of Urban Development. *Development New Delhi.*
5. P & A Officers to Zones in CPWD.
6. P & A Officers BG(W), CPWD, New Delhi.
7. Ministry of Urban Development (W3 Section), New Delhi.
8. Incharge, Security Section, CPWD, New Delhi.
9. Incharge, CWBD Section, CPWD, New Delhi.
10. PS to DG(W), PS to ADG(TD).
11. Director of Works, CPWD, Nirman Bhavan, New Delhi.
12. Er-in-Chief, Army Head Qrts. Kashmir House, New Delhi.
13. Chief Engineer, NDMC, New Delhi.
14. Municipal Engineer, MCD Town Hall, New Delhi.
15. CE(Irrigation and Flood), Delhi Admn, ISBT Bldg. New Delhi.
16. University Engineer University of Delhi.
17. CE(Civil) Construction Wing, AIR Samchar Bhavan, New Delhi.
18. FO to DDG(W) Deptt of Telecom, 6th floor, Samchar Bhavan N.D.
19. SE-in-Charge, AIIMS, Ansari Nagar, New Delhi.
20. Engineer Member, DDA Vikas Minar, New Delhi.
21. Income Tax Officer, Contractors Circle, New Delhi.
22. P.A to FO(OSD), CPWD, New Delhi.
23. Stock file/Gaurd File.

137

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

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No.CE/CON/46

New Delhi, dated the 24.6.92

OFFICE MEMORANDUM

Subject : Enhancement of Tendering Limits and revision of eligibility criteria for applicants seeking registration in various classes/categories of Contractors in the Department.

\*\*\*

In continuation of this Directorate's Office Memorandum No. CE/CON/44 dated 3.6.92 it is clarified that eligibility criteria for enlistment/promotion of Contractors in various classes/categories in CPWD should be that works completed upto 31.3.92 will/should be according to the existing limits and the works completed after 31.3.92 i.e. with effect from 1.4.92 should be as per the revised limits already circulated vide our O.M. No. CE/CON/44 dated 3.6.92.

Issues from file No. 14/2/90-SEC(DGM)

Note:- Works completed upto 31.3.92 will be considered on the basis of pre-revised limits.

(VILLAGE OFFICIAL)  
P.O. TO D.G. (WORKS)

To

1. All CEs in CPWD.
2. All SES/ESs/SSOs/Project Manager/Director of Hort., Dy. Dir. of Hort., in CPWD.
3. Chief Controller of Accounts, Ministry of Urban Development.
4. Financial Advisor, Ministry of Urban Development, New Delhi.
5. P & A Officers to CPWD in CPWD.
6. All P & A Officer CPWD, CPWD, New Delhi.
7. Ministry of Urban Development (ES Section) New Delhi.
8. Incharge, Security Section, CPWD, New Delhi.
9. Incharge, C.T. Section, CPWD, New Delhi.
10. PS to DGM, PS to SEC(D).
11. Director of Works, CPWD, Urban Bhavan, New Delhi.
12. Br-in-Chief, Army Head Qtrs. Eastern House, New Delhi.
13. Chief Engineer DMRC, New Delhi.
14. Municipal Engineer, MCD, Town Hall, New Delhi.
15. CE(Irrigation and Flood), Delhi Admn, 1007 Bldg. New Delhi.
16. University Engineer, University of Delhi.
17. CE(Civil) Construction Wing, AIR Samchar Bhavan, New Delhi.
18. FO to DDG(W), Deptt of Telecom, 6th floor, Samchar Bhavan N.D.
19. SE-in-Charge, ATMS Ansari Nagar, New Delhi.
20. Engineer Member DDA Vikas Vihar, New Delhi.
21. Income Tax Officer, Contractors Circle, New Delhi.
22. P.A to FO(OSD), CPWD, New Delhi.
23. Stock file/Guard File.



GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT  
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22 JUN 1992

No. DG(W)/COM/47

New Delhi, dated the 17.6.92

MEMORANDUM

Subject : Award of pendentelite interest by Arbitrator.

\*\*\*\*

1. The question whether an Arbitrator has jurisdiction to award pendentelite interest has been reexamined in this Directorate in consultation with Ministry of Law & Justice. Ministry of Law & Justice have advised that the Supreme Court in a recent Judgement dated 12.12.91 in a case- Govt. of Orissa Vs. G.C. Roy has held that where the agreement between the parties does not prohibit grant of interest and where a party claims interest and the dispute (alongwith the claim for principal amount or independently) is referred to Arbitrator, the arbitrator shall have power to award interest pendentelite. This is for the reason that, in such a case, it must be presumed that interest was an implied term of the agreement between the parties and therefore, when the parties refer all their disputes or refer the dispute as to interest as such to the Arbitrator, the Arbitrator shall have the power to award interest. This does not mean that in every case the Arbitrator should necessarily award interest pendentelite. It is a matter within the discretion of the Arbitrator to be exercised in the light of all the facts and circumstances of the case, keeping the ends of justice in view.

2. In view of the above judgement, Ministry of Law & Justice have opined that the Arbitrator is empowered to award pendentelite interest when the undernoted two conditions are satisfied:-

- a) The agreement does not prohibit grant of interest; and
- b) the dispute (alongwith claim for principal amount or independently) is referred to the arbitrator.

3. All concerned are therefore requested to keep the above position in view while dealing with such cases. If there are any cases where arbitral awards have been challenged in Courts of Law and where award of pendentelite interest was the only issue, these cases may be re-examined in the light of above advice of Ministry of Law. Since such cases are no more sustainable in law, these may be considered by competent authorities for withdrawal from Courts.

(VJAY NORTWANT)  
P.O TO D.G.(WORKS)

(Issued from file No. 1/10/92-R&C-759D)

To

1. All CEs in CPWD & PMD(DA).
2. All SEs/EEs/SSNs/Project Manager/Director of Hort./Dy. Director of Hort., in CPWD & PMD(DA).

...2/-



10

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

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5.1.93

NO. DGW/CON/54

New Delhi, dated the 12.92

MEMORANDUM

It has been decided by the Government that in all arbitration cases where awards of the Arbitrators go against the Department (Whether by upholding the claims of the contractors or by rejecting the counter claims of the Department), detailed reasons and lapses, if any, on the part of concerned officials due to which the awards have gone against the Department, should be gone into in detail by the Chief Engineer concerned. The Chief Engineer should send his recommendations to DGW on the issue of fixing of responsibility and for taking action against the officers, wherever necessary.

The Chief Engineers will keep statistics of all such cases in respect of Awards pronounced from 1.1.1993 onwards for the information of Govt. whenever required.

The above orders of Government may please be noted for strict compliance.

(S. SATAKOPAN)

F.O TO D.G(WORKS)

[Issued from file No.12/5/91-A&C(DGW)]

- To
1. All CEs in CPWD & PWD(DA).
  2. All SEs/EEs/SSWs/Project Manager/Director of Hort./Dy. Director of Hort., in CPWD&PWD(DA).
  3. Chief Controller of Accounts, Ministry of Urban Development.
  4. P&A Officers to Zones in CPWD.
  5. P&A Officers DG(W), CPWD, New Delhi.
  6. Ministry of Urban Development (W3 Section), New Delhi.
  7. Incharge, Security Section, CPWD, New Delhi.
  8. Incharge, CWBd Section, CPWD, New Delhi.
  9. PS to DG(W), PS to ADG(TD).
  10. Director of Works, CPWD, Nirman Bhavan, New Delhi.
  11. Br-in-Chief, Army Head Qrts. Kashmir House, New Delhi.
  12. Chief Engineer, NDMC, New Delhi.
  13. Municipal Engineer, MCC Town Hall, New Delhi.
  14. CE(Irrigation and Floods), Delhi Admn., ISBT Bldg. New Delhi.
  15. University Engineer University of Delhi.
  16. CE(Civil) Construction, AIR Samchar Bhavan, New Delhi.
  17. FO to DDG(W) Dept of Telecom, 6th floor, Samchar Bhavan, New Delhi.
  18. Sr-in-Charge, AIIIS, Ansari Nagar, New Delhi.
  19. Member, DDA Vikas Minar, New Delhi.
  20. Secy(QC), QCTA, Core Cell/CD0/SPG, CPWD, Room No. 419, Nirman Bhavan, New Delhi-11.

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

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NO.DGW/CON/61

New Delhi, dated the 22.8.93

OFFICE MEMORANDUM

**Subject :** Concession to un-employed Engineers and their Societies in respect of award of works in CPWD.

\*\*\*

**Ref :** This office Memorandum No. DGW/CON/43 dt. 22.5.92.

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Ministry of Urban Development Works Division letter No. 28012/46/85-W3 dt. 31.7.93 together with its enclosures on the above subject is forwarded for information/guidance and necessary action.

This issues from file No. 14/3/93-A&C(DGW).

Encl : As above.

(S. SATAPAN)

F.O TO D.G(WORKS)

To

1. All CEs/SEs/EEs in CPWD (Including Hort. Directorate, Delhi Admn. & A.P.
2. F.O to DDG(BW) Deptt of Telecom, 6th floor, Sanchar Bhavan, New Delhi-1.
3. CE(Civil) Construction Wing, AIR Samachar Bv., New Delhi.
4. SE-in-Charge, AIIMS, Ansari Nagar, New Delhi.
5. Engineer Member, DDA, Vikas Minar, New Delhi.
6. Director of Audit, CW&M, New Delhi.
7. Municipal Engineer, Municipal Corporation of Delhi.
8. Chief Technical Examiner, CVC, New Delhi(3 copies).
9. Chief Engineer, M/e Development, GWD, Bhutan.
10. Arbitration Cell, M/e Urban Development, New Delhi.
11. Director of Accounts, Works Addit Section, Dte. of Accounts, Panaji, Goa.
12. CE(Irrigation and Flood), DA ISBT Bldg. Delhi.
13. Director Light House & Light Ship, M/e Shipping & Transport East Block, R.K. Puram, New Delhi.

Government of India  
Directorate General of Works  
Central Public Works Department

No.DGW/CON/62

New Delhi, dated.

16.9.1993.

OFFICE MEMORANDUM

Subject : Scrutiny of tenders by the Executive Engineers.

....

As per para 20.1.16.5 of C.P.W.D. Manual Volume II, 1988 it is enjoined on the Executive Engineer opening the tenders, that whenever contractors give unacceptable conditions outside restricted stipulations in the N.I.T., e.g. shorter validity period, withdrawal, modification of offer while tender is under consideration, the E.E. concerned should immediately write to the contractor asking him to comply with the NIT conditions without waiting for SE's advice in the matter and report the result of such an exercise to the tender accepting authority or the S.E. concerned.

2. In a recent tender examined in this Directorate, it was observed that a contractor had offered a rebate on the net amount payable in final bill, which was not in accordance with the standard conditions relating to rebates circulated vide this Directorate No.DGW/CON/56 dated 3.3.93. This aspect was not seen by the EE concerned and no action was taken by him to obtain clarifications from the contractor i.e. whether the rebate offered is on net or gross amount as these rebates are taken into account to determine the lowest tenderer in terms of para 20.15.5.3 ibid.

3. The officers opening the tenders are requested to follow the Manual procedure strictly.

( S.Satakopan )  
FINANCE OFFICER TO DIRECTOR GENERAL(WORKS)

To

F.No.2/47/93-CWBd.

1. All CES/SES/EEs in CPWD (including Hort. Directorate, Delhi Admn. & A.P.)
2. Chief Technical Examiner, CVC, N.Delhi (3 copies).
3. Counsel, C.P.W.D., New Delhi..

208 ✓

Government of India  
Directorate General of Works  
Central Public Works Department

DGW/CON/68

Nirman Bhavan, New Delhi, the 24-6-94.

OFFICE MEMORANDUM

Subject:- Verification of eligibility and technical capability etc. of contractors enlisted in MES/Railways/State PWDs for Tendering in C.P.W.D.

Reference:- Office Memorandum No. DGW/CON/55 dated 2.2.1993

In partial modification of this Office Memorandum No. DGW/CON/55 dated 2.2.93, the criteria for issuing tenders to CPWD in respect of eligible CPWD as well as non-CPWD contractors will be as under. Tenders will be issued to eligible contractors provided they have executed works of the magnitude specified against each in the last five (5) years.

- |   |  |
|---|--|
| i) For works estimated to cost above Rs. 2 crores upto Rs. 3 crores.  | { Three works each costing Rs. 75 lakhs.   |
| ii) For works estimated to cost above Rs. 3 crores upto Rs. 5 crores. | { Three works each costing Rs. 1 crore.  |
| iii) For works estimated to cost above Rs. 5 crores                   | { Three works each costing Rs. 2 crores or Two works of aggregate cost not less than Rs. 6 crores. |

In regard to works estimated to cost above Rs. 25 lakhs and upto Rs. 2 crores, the criterion laid down in the above circular dated 2.2.93 will continue to apply.

( S. Satakopan )  
Financial Officer to D. G. (W)

(Issued for F.No. 4/16/92-CW.Bd. )

To

1. All Chief Engineers/Superintending Engineers/SSWs(Civil & Elect) (i/c Horticulture Directorate, Delhi Admn. Zones ).
2. All Executive Engineers / SWS (Civil & Elect) (i/c Horticulture Directorate, Delhi Admn Zones).

....2/-\*MLM\*



251

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

NO.DGW/CON/78.

New Delhi, dt:26.12.94

MEMORANDUM

Sub:- Revalidation of Enlistment of contractors in CPWD.

Ref:- This Dte. Memorandum No.DGW/CON/71, dt:1.7.94.

It has been decided that the existing enlistment of CPWD contractors (B/R, Elect. Furniture) Class.I will continue to be valid upto 31.1.95 instead of 31.12.94 indicated in Para I of this Directorate Memorandum quoted above.

CEs are requested to give instant publicity to the above Order and EEs instructed to continue to issue tenders to Class I contractors already enlisted and whose enlistment would have expired on 31.12.94 for a further period of one month beyond 31.12.94 i.e. upto 31.01.95.

*S. Satakopan*  
(S.SATAKOPAN)

F.O. TO DG(WORKS)

Copies to:

1. All CEs.
2. All SEs.
3. All EEs.
4. Central Builders Association(Regd.)  
44/1, Regal Building, Connaught Place, New Delhi.
5. CPWD Contractors Association, 'Y' Shape Building,  
Indraprastha Estate, New Delhi.
6. CPWD Electrical Contractors' Association,  
H-35/10 Connaught Place, New Delhi.1.
7. Eastern Regional Electrical Contractors' Association(India)  
Plot No.3, 12/1-A, Lindsay Street, Calcutta.
8. Association of Electrical Contractors(Regd.) 19, Municipal  
Market, Connaught Circus, New Delhi.
9. Builders Association of India, G-1/G-20, Commerce Centre,  
7th Floor, J.Dadajje(Tardeo) Road, Bombay-34.



252

Government of India  
Directorate General of Works  
Central Public Works Department

No. DGW/CON/79

New Delhi, dated the

19/5/95  
Feb., 1955  
31-5

C I R C U L A R

Subject: Challenging of awards.

It has been noticed that a number of cases of arbitration awards are being recommended by Chief Engineers for challenging the same on some grounds.

In this regard, it is pointed out that under Arbitration Act, the grounds on which the arbitration awards can be challenged are very limited as indicated therein and the Courts of Law are reluctant to go into the merits of awards themselves. The limited grounds on which the awards can be challenged are specified in Section 30 of the Arbitration Act 1940 which is reproduced below:

"Grounds for setting aside award- An award shall not be set aside except on one or more of the following grounds, namely:

- (a) That an arbitrator or umpire has misconducted himself or the proceedings;
- (b) that an award has been made after the issue of an order by the Court superseding the arbitration or after arbitration proceedings have become invalid under Sec.35.
- (c) that an award has been improperly procured or is otherwise invalid.

Since almost all the awards are interest bearing the question of depositing the awarded amount in the court should invariably be examined by CEs to save payment of interest. Chief Engineers should, therefore, consider the above aspects and give specific recommendations within the permissible grounds given in the Arbitration Act. They should also give specific recommendations on the issue of depositing the amount in the Court of Law whenever they recommend challenging of awards in the case of interest bearing awards.

(Issued from File No. 1/1/94-L&C/DG(W)).

(S. SATAKOPAN)  
F.O. TO D.G. (WORKS)



254

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

No.DGW/CON/80

Nirman Bhavan, New Delhi,  
dated the 31st January, 95.

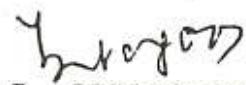
CIRCULAR

Sub. : Revalidation of enlistment of contractors in  
CPWD - Class I (B&R Electrical - Furniture).

Ref. : This Dte. Circular No.DGW/CON/78 dt.26.12.94.  
\*\*\*\*\*

It will be recalled that the validity of enlistment of Class I Contractors(B/R Electrical-Furniture) which was due to expire on 31.12.94 was extended upto 31.1.95 vide circular quoted above.

Orders for revalidation in respect of contractors who have qualified for the same have been issued. In view of the anticipated time lag involved in reaching the orders to the various far flung Divisions, list of contractors who have not qualified for revalidation are enclosed so as to regulate issue of tenders with effect from 1.2.95 onwards. Contractors in the lists have been informed individually.

  
( S. SATAKOPAN )  
F.O. TO DG(WORKS)

Encl: 20 pages.

By Fax to CEs only with a request to give instant publicity.

Copies to:

1. All CEs/SEs/EEs.
2. Engineer-in-Chief, Army HQ, Kashmir House, N.Delhi.
3. Director/Dy. Directors Horticulture in CPWD, PWD(DA).
4. Chief Engineer, NDMC, New Delhi.
5. Municipal Engineer, MCD, New Delhi.
6. Engineer Member, Delhi Development Authority, Vikas Sadan, New Delhi.
7. F.O. to DDG(Works), Deptt. of Telecommunications, Sanchar Bhavan, New Delhi.
8. University Engineer, University of Delhi, Delhi- 7.
9. C.E.(Civil), Civil Construction Wing, All India Radio, P.T.I Building, Parliament Street, N.Delhi.
10. Chief Engineer & Administrator, Andaman & Lakshadweep Harbour Works, FORT BLAIR.

255

Government of India  
Directorate General of Works  
Central Public Works Department

No.DG(W)/CON /81

.....

New Delhi, dated the 6.4.1995.

MEMORANDUM

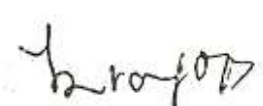
Subject : Reference of disputes to Arbitrator.

Instances have been across where contractors prefer claims on account of loss of profit due to idle labour, idle machinery etc. Such claims are outside the terms of the Agreement. Clause 25 of the Standard Agreement form provides

"Except where otherwise provided in the contract all questions and disputes relating to the meaning of the specifications, designs, drawings and instructions hereinbefore mentioned and as to the quality of workmanship of materials used on the work or as to any other questions claim, right, matter or thing whatsoever in any way arising out of or relating to the contract designs, drawings, specifications, estimates, instructions, orders or these conditions or otherwise concerning the works or the execution 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 person appointed by the Chief Engineer CPWD incharge of the work at the time of dispute.

The issue of referring such claims to the Arbitrator was examined in consultation with the Ministry of Law who have opined that "The claims of compensation for establishment expenses, loss of profit during the extended period appear to be incidental to the claims relating to clause 2 of the agreement which is not arbitrable. That being so we feel that these claims may not be referred to the arbitrator."

All the Chief Engineers are requested to follow the instructions strictly.

  
( S.Satakopan )  
F.O. to D.G.(W)

289

GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT

No. DGW/CON/89

Nirman Bhavan, New Delhi, 14.11.95  
Dated the

CIRCULAR

Sub. : Revalidation of Enlistment of contractors in  
CPWD as Class I (M&R)

M/s Sans Constructions Pvt. Ltd., Sans Bhavan, 2322,  
18th A-Main, 6th cross, HAL II stage, Indira Nagar, Bangalore-  
560008 were enlisted on 22.7.91. The validity of the enlistment upto  
31.12.94 was extended upto 31.1.95.

M/s Sans Constructions Pvt. Ltd., have not qualified for  
revalidation of their initial enlistment.

( S. SATABHAN )  
P.O. TO DG(WORKS)

Copies to:

1. All CEs/SEs/EEs.
2. Engineer-in-Chief, Army HQ, Kashmir House, N. Delhi.
3. Director/By. Directors Horticulture in CPWD, PW(DA).
4. Chief Engineer, BMC, New Delhi.
5. Municipal Engineer, MCD, New Delhi.
6. Engineer Member, BDA, Vikas Sadan, New Delhi.
7. P.O. to DG(Works), Deptt. of Telecommunications, Sansar  
Bhavan, New Delhi.
8. University Engineer, University of Delhi, Delhi-7.
9. C.E.(Civil), Civil Construction Wing, AIR, P.T.I. Building,  
Parliament street, New Delhi.
10. Chief Engineer & Administrator, Andaman & Lakshadweep  
Harbour Works, PORT BLAIR.
11. M/s Sans Constructions Pvt. Ltd.,  
Sans Bhavan, 2322, 18th A Main,  
6th cross, HAL II Stage,  
Indira Nagar, Bangalore-560008.

( REXHA CHANHAN )  
S.O./M&C/DG(W)



Government of India  
Directorate General of Works  
Central Public Works Department

\*\*\*\*\*

No.DGW/CON/99

Nirman Bhavan, New Delhi.  
Dated the June, 1996.  
1-7-96

OFFICE MEMORANDUM


Subject:- Enhancement of tendering limits and revision of eligibility criteria for applicants seeking enlistment in various categories/class of contractors in C.P.W.D.

\*\*\*\*\*

In partial modification of this Office Memorandum No.DG(W)/CON/87 dated 14.9.95, the limits of working capital certificate required for registration in Class-V (B&R), Class-IV(Elect) and Class-IV(Furniture) Classes of contractors have been reviewed and revised as under. The cases already decided on the basis of O.M. dated 14.9.95 will not be reopened.

<u>Building &amp; Roads</u>	<u>Minimum amount of working Capital Certificate</u>
Class V	Rs.50,000/-
<u>Electrical</u>	
Class IV	Rs.15,000/-
<u>Furniture</u>	
Class IV	Rs.15,000/-

Central Public Works Department Manual Vol.II  
(1988) will be amended in due course.

  
( P.K. Mathur )  
Supltg. Engineer (C & M )

(Issued from file No.14/6/96-SE(C&M)).



Government of India  
Directorate General of Works  
Central Public Works Department  
Nirman Bhavan, New Delhi  
\*\*\*\*\*

No.DGW/CON/100

Dated the

July, 1996.

2-8-96

OFFICE MEMORANDUM

Subject:-Criteria of eligibility for issue of tender documents to eligible CPWD as well as non-CPWD contractors- Amendment No.2 to CPWD - 6.

\*\*\*\*\*

Corrigendum to O.M.No.DGW/CON/75 dated 27.10.94 regarding criteria of eligibility for issue of tender documents to eligible CPWD as well as non-CPWD contractors has been issued vide this Directorate O.M.No.DGW/CON/98 dated 27.6.96. Accordingly, clauses 1.2, 1.3, and 1.4 of CPWD - 6 are, hereby, amended as below:-

Amendment No.2 to CPWD -6.

Clause

- 1.2 Tenders will be issued to eligible CPWD as well as non-CPWD contractors provided they produce definite proof from the appropriate authority, which shall be to the satisfaction of the competent authority, of having satisfactorily completed similar works of magnitude specified below:-  
Criteria of eligibility for issue of tender documents.
- 1.3 Conditions for Non-CPWD contractors only.  
For works estimated to cost above Rs.25 lakhs but upto Rs.2 crores. Three similar works each costing not less than 30% of the estimated cost put to tender, during the last 5 years, subject to the condition that the cost of each such work should not be less than Rs.15 lakhs.
- 1.4 Conditions for CPWD as well as Non-CPWD contractors.
- 1.4.1 For works estimated to cost above Rs.2 crores but upto Rs.3 crores. Three similar works each costing not less than Rs.75 lakhs during last 5 years.
- 1.4.2 For works estimated to cost above Rs.3 crores but upto Rs.5 crores. Three similar works each costing not less than Rs. 1 crore during last 5 years.
- 1.4.3 For works estimated to cost above Rs.5 crores. Three similar works each costing not less than Rs.2 crores or two similar works of aggregate cost not less than Rs.6 crores during last 7 years.

For the purpose of this clause "Similar work" means the works of



( P.K. Mathur )

Superintending Engineer(C&M)

(Issued from file No.30/1/96/SE/CM).

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Government of India  
Directorate General of Works  
Central Public Works Department  
Contracts and Manual Unit

\*\*\*\*\*

No.DGW/CON/101

Nirman Bhavan, New Delhi.  
Dated the 18 November, 96.

OFFICE MEMORANDUM

Subject:-Guide-lines for operation of sub-clause 10(cc)  
of General Conditions of Contract for Central PWD  
Works.

\*\*\*\*\*

Ref:- CE/CON/757 dated 31.05.1983 and amendment issued  
vide J.M.No. CE/CON/767 dated 30.08.1983.

\*\*\*\*\*

With reference to the above mentioned O.Ms  
regarding operation of sub-clause 10(cc) of standard  
contract forms, it is clarified that the escalation  
payable, or the reduction to be made in the amount  
payable, on operation of clause 10(cc) should be  
worked out strictly on the basis of the provisions  
contained in Clause 10(cc) of General Conditions of  
Contract for Central PWD Works as well as provisions  
of the CPWD Manual Vol-II, 1988 .

This issues with the approval of IG(W).



( P.K. Mathur )  
Superintending Engineer(C&M)

(Issued from File No.32/4/96-SE(C&M))

Copy to all concerned (as per mailing list attached).

Government of India  
Directorate General of Works  
Central Public Works Department

\*\*\*\*\*

3

No.DGW/CON/102

Nirman Bhavan, New Delhi.  
Dated the 23rd December, 96.

OFFICE MEMORANDUM

Subject:- Decentralisation of Enlistment of Contractors.

\*\*\*\*\*

Consequent upon the restructuring of CPWD, in partial modification of this Directorate's O.M.No.DGW/CON/39 dated 3.10.91 and in supersession of all previous orders related with the authorisation of enlisting contractors in CPWD, the authorities for enlistment of contractors are designated as below:-

1. Class-I A (B&R) DG(W), on all India Basis.  
Class-I (B&R)  
Class-I (Elect)  
Class-I (FUR)
2. Class-II (B&R) ADG, on regional basis.  
Class-II (Elect)  
Class-II(FUR)
3. Class-III & IV (B&R) CE(Civil) for (B&R) and Furniture categories and CE(Elect). for Electrical category, on Zonal basis. For Delhi Works, one designated Chief Engineer (Civil) for (B&R) and Furniture categories and one designated Chief Engineer(Electrical) for Electrical category.  
Class-III (Elect)  
Class-III (FUR)
4. Class-IV (Elect) SE(Civil) for (B&R) and Furniture categories and SE(Elect) for Electrical category, for their jurisdictional areas. For Delhi Works and other cities where there is more than one SE, one designated SE(Civil) for (B&R) and Furniture categories and one designated SE(Electrical) for Electrical category.  
Class-IV (FUR)  
Class-V (B&R)

This issues with the approval of Director General (Works), Central Public Works Department.

( P.K. Mathur )

Superintending Engineer (C&M)  
CPWD, Nirman Bhavan, New Delhi.

Vm

(Issued from file No.14/7/96-SE(C&M)).

Copy to all concerned (as per mailing list attached).

**Government of India  
Central Public Works Department  
Directorate General of Works  
CSQ Organisation  
Contracts & Manual Unit**

No. DG(W)/CON/ 110

Dated Nirman Bhawan, New Delhi, the 11<sup>th</sup> July, 1997

**OFFICE MEMORANDUM**

Subject: Publicity of tenders - Endorsing copies of NITs & NIQs to Associations of Contractors

\*\*\*\*\*

In supersession of all previous orders on the subject issued from time to time, it has now been decided that copies of Notices Inviting Tenders (form PWD-6) and Notices Inviting Quotations shall be sent to the Contractors' Associations, approved for this purpose, under certificate of posting only, with no other obligation on the part of the department.

It is also clarified that besides the Contractors' Associations mentioned in Para 18.8 of CPWD Manual Vol.II, the copies of NITs and NIQs shall, in the manner prescribed above, be sent only to CPWD Contractors' Association, I.P. Bhawan, New Delhi and the Indian Contractors' and Builders' Association, G-80/207, Main Bazar, Laxmi Nagar, Delhi-110 092.



( P.K Mathur )

Superintending Engineer (C&M)

Issued from file no. 31/1/96/SE(C&M)

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GOVERNMENT OF INDIA  
DIRECTORATE GENERAL OF WORKS  
CENTRAL PUBLIC WORKS DEPARTMENT  
CSQ ORGANISATION  
CONTRACTS & MANUAL UNIT

NO. DGW/ CON/111

Nirman Bhawan New Delhi.  
Dated the 24<sup>th</sup> July, 97

**OFFICE MEMORANDUM**

**Subject :- Amendments in Clause 25 of the General Conditions of Contract for CPWD works 1995.**

Consequent to the en-actment of Arbitration and Conciliation Act, 1996, following changes/amendments are made in Clause 25 of the General Conditions of Contract for CPWD Works 1995.

<b><u>Clause</u></b>	<b><u>Page</u></b>	<b><u>Para</u></b>	<b><u>Existing portion of Clause</u></b>	<b><u>To be read As</u></b>
25	47	2	The Arbitration shall be conducted in accordance with the provision of the Indian Arbitration Act, 1940, or any statutory modifications or re-enactment thereof and the rules made thereunder and for the time being in force shall apply to the arbitration proceeding under this clause.	The arbitration shall be conducted in accordance with the provisions of The Arbitration and Conciliation Act, 1996, (26 of 1996) or any statutory modifications or re-enactment thereof and the rules made thereunder and for the time being in force shall apply to the arbitration proceeding under this clause.
	47	3	The arbitrator may from time to time with the consent of the parties enlarge the time for making and publishing the award.	Para is deleted



( P. K. Mathur )  
Superintending Engineer (C&M)

(Issued from file no. 1/1/96-SE (C&M))

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Central Public Works Department  
C.S.Q. Organisation  
Contracts and Manual Unit  
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No.DGW/CON/ 112

Nirman Bhavan, New Delhi.  
Dated the 25<sup>th</sup> July 97

OFFICE MEMORANDUM

Subject:- Local purchase of stationery and other articles by the CPWD Offices located in Delhi/New Delhi and outside Delhi instructions regarding.

\*\*\*\*\*

In pursuance to Government of India, Ministry of Personnel, Public Grievances and Pension's O.M.No.14/3/95-Welfare dated 3.8.95 it is, hereby, directed that all CPWD Offices located in Delhi/New Delhi and outside Delhi shall make all local purchase of stationery and other items required by them either from Kendriya Bhandar or Super Bazar or NCCF. Offices located outside Delhi shall make such local purchases from the local Central/Whole-sale Consumer Co-operative Societies, and branches of Kendriya Bhandar and NCCF located therein. Only if they are not able to supply a particular item, such purchases should be made from other sources as per Rules, after obtaining 'No objection Certificate' from them.

It is also directed that the CPWD Offices located in Delhi and outside shall make purchases of file covers from the Khadi and Village Industries Commission/Khadi and Village Industries Commission Unit. All efforts shall be made to purchase upto 50% of file covers requirements from KVIC/KVIC Unit or products of KVIC from Super Bazar/Kendriya Bhandar.



Superintending Engineer (C&M)  
CPWD, Room No.432-A-Wing,  
Nirman Bhavan, New Delhi.

(Issued from file No.30/1/96-SE(C&M)).

Copy to:-

1. All ADGs in CPWD.
2. All CEs/SEs/EEs/SSWs/Director, Dy. Dir. of Hort./PM, PWD(DA).
3. FO to DG(W).
4. Security & CWBd Section, CPWD, Nirman Bhavan, New Delhi.

**Government of India  
Directorate General of Works  
Central Public Works Department  
C.S.Q. Organisation  
Contracts & Manual Unit  
A-Wing, Nirman Bhawan,  
New Delhi**

No. DGW/CON/ 113

Nirman Bhawan, New Delhi  
Dated the 22-8-97

**OFFICE MEMORANDUM**

Authorities for enlistment of contractors in various classes of HVAC (Heating, Ventilation and Air-conditioning) category and for approval of firms for specialised Elec. jobs have been notified vide this Directorate Office Memorandum No. DGW/CON/109 dated the 11.7.97. For enlistment of contractors in Class-II, which has to be on Regional basis, the Regional ADGs have been delegated the powers for enlistment. However, it has been decided that till the Regional ADGs take their positions in due course of time the enlistment at regional levels shall be done by the designated Chief Engineers listed below :-

**Region**

**Designated Chief Engineer**

ADG (S&P), ADG (DR)  
And ADG (TD) | SPG, SPMP |  
| NZ (Elec.) |

CE (NDZ)-III, New Delhi

ADG (TD) | NZ-I, NZ-II, NZ-III |

CE (CSQ), New Delhi.

ADG(WR)

CE (WZ) -I, Mumbai.

ADG(ER)

CE (EZ) -I, Calcutta.

ADG(SR)

CE (SZ) -I, Chennai.



(P. K. Mathur)

Superintending Engineer (C&M)

Issued from file No. 14/7/96/SE (C&M)

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Central Public Works Department  
Directorate General of Works,  
C.S.Q. Organisation  
Contracts and Manual Unit

(42)

No. DGW/CON/114

Nirman Bhavan, New Delhi.  
Dated the 22.1.1997.

OFFICE MEMORANDUM

Subject:- Copies of enlistment orders of contractors in Class-II, III & IV in CPWD.

\*\*\*\*\*

It is observed that Copies of enlistment orders of contractors enlisted in Class-II, III, IV & V in B&R and Electrical categories are endorsed to DG(W) and sent to this office. Copies of such orders in respect of enlistment in Classes II & III(B&R) and Classes II & III (Electrical) are required by F.O. to DG(W), Security Section at the time of grant of exemption from depositing earnest money with individual tenders by depositing a lump sum earnest money at the prescribed rate. It is, therefore, enjoined on all concerned that copies of enlistment orders of contractors issued by ADGs/Chief Engineers in respect of above said classes/categories be endorsed to FO to DG(W) and sent to him. Copies of enlistment orders in respect of Classes IV and V all categories, need not be endorsed to DG(W)'s Office at all.

(P.K. Mathur)

( P.K. Mathur )  
Superintending Engineer (C&M)  
CPWD, Room No. 432-A- Wing,  
Nirman Bhavan, New Delhi.

(Issued from File No. 14/7/96-SE (C&M))

( All ADGs/CEs/SEs in C.P.W.D.)



Government of India  
Central Public Works Department  
Directorate General of Works  
C.S.Q. Organisation  
Contracts and Manual Unit

44

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No.DGW/CON/115-

Nirman Bhavan, New Delhi.  
Dated the December, 97

22/11/97

C O R R I G E N D U M

Subject:- Provision for forfeiture of Earnest Money  
in NIG's.

\*\*\*\*\*

The work 'tender' appearing in line 6 of  
para 2 of Office Memorandum No. DGW/CON/108 dated the  
26th June, 1997 may be read as 'quotation'.



( P.K. Mathur )  
Superintending Engineer (C&M)

(Issued from File No.30/1/96-SE(C&M)).

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Central Public Works Department  
Directorate General of Works  
CSQ Organisation  
Contracts & Manual Unit**

No. DG(W)/CON/ 116

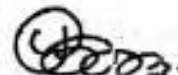
Dated Nirman Bhawan, New Delhi, the 28<sup>th</sup> Jan, 1998

**OFFICE MEMORANDUM**

**Subject : Publicity of tenders - Endorsing copies of NITs & NIQs to Associations of  
Contractors**

\*\*\*\*\*

In partial modification of this Directorate Office Memorandum no. DGW/CON/110 dated 11.7.97, it has now been decided that copies of Notices Inviting Tenders (form PWD-6) and Notices Inviting Quotations shall be sent to the Contractors' Associations, approved for this purpose, by registered post.



( P.K. Mathur )

Superintending Engineer (C&M)

Issued from file no. 31/1/96/SE(C&M)

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**Government of India  
Central Public Works Department  
Directorate General of Works  
CSQ Organisation  
Contracts & Manual Unit**

No. DG(W)/CON/ 118

Dated Nirman Bhawan, New Delhi, the <sup>53 98</sup> 12 Feb, 1998

**OFFICE MEMORANDUM**

Subject : Enlistment of contractors in Class-II in CPWD - Powers of ADGs therefor

\*\*\*\*\*

Reference is invited to this Directorate OM nos. DGW/CON/103 dated 9.1.97 and DGW/CON/113 dated 22.8.97 wherein Chief Engineers were designated for enlistment of contractors in various categories of Class-II contractors and approval of firms for specialised Electrical Jobs. Since the ADGs have taken positions in various Regions, the above delegation to Chief Engineers is withdrawn.

Enlistment of Contractors in all these classes/categories shall now be done by ADGs. For Delhi and Northern Region, ADG(TD) will be the enlisting authority.

  
(P.K. Mathur)  
Superintending Engineer(C&M)

(Issued from file no. 14/7/96/SE/CM)

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Central Public Works Department  
Directorate General of Works  
CSQ Organisation  
Contracts & Manual Unit**

(12)

No. DG(W)/CON/ 121

Dated Nirman Bhawan, New Delhi, the 18<sup>th</sup> May, 1998

**OFFICE MEMORANDUM**

Subject : Purchase preference for Products & Services of Public Enterprises.

\*\*\*\*\*

Copy of Office Memorandum no.DPE/13(19)/91-Fin. dated 31.10 97 of Government of India, Ministry of Industry, Department of Public Enterprises is enclosed for information and guidance in so far as it relates to the contracts awarded in CPWD.

2. In consonance with the Government instructions contained in the above OM, in case of all tenders/ quotations to be received in CPWD on or before 31.3.2000 for purchases and supplies of manufactured goods, such as steel, cement, cables etc., worth more than Rs 5 crores the following clause may be incorporated in the NIT/ Agreement :

- \* The competent authority reserves its right to allow to the Central Government Public Sector Enterprises/ Joint Ventures with PSEs with a minimum value added content of over 20% by the latter, a purchase preference with reference to the lowest valid price bid where the quoted price is within 10% of such lowest price, other things being equal, in case of tenders/quotations whose date of receipt is upto 31.3 2000.\*

Encl : As above



(P.K.Mathur)  
Superintending Engineer(C&M)

(Issued from file no. 30/1/96/SE/CM)

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Government of India  
Central Public Works Department  
Directorate General of Works  
CSQ Organisation  
Contracts & Manual Unit

No. DGW/CON/123

Dated Nirman Bhawan, New Delhi, the 13<sup>th</sup> July, 1998

**OFFICE MEMORANDUM**

Subject : Enhancement of tendering limits and revision of eligibility criteria for applicants seeking enlistment in various categories/ classes of contractors in CPWD.

\*\*\*\*\*

In partial modification of this Directorate Office Memoranda Nos. DGW/CON/87 dated 14.9.95 and DGW/CON/99 dated 1.7.96, the tendering limits and the limits of working capital certificate required for enlistment of contractors in class IV(Electrical) and class IV(Furniture) have been reviewed and are revised as under.

Cases already decided according to OM dated 14.9.95 and 1.7.96 will not be reopened.

<u>Category</u>	<u>Class</u>	<u>Revised tendering limit</u>	<u>Revised amount of working capital certificate</u>
Electrical	IV	Rs.1.5 lakhs	Rs.25,000/-
Furniture	IV	Rs.1.5 lakhs	Rs.25,000/-

CPWD Manual Vol.II will be amended in due course.



(P.K.Mathur)  
Superintending Engineer(C&M)

(Issued from file no. 18/2/98/SE/CM)

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**GOVERNMENT OF INDIA  
CENTRAL PUBLIC WORKS DEPARTMENT  
DIRECTORATE GENERAL OF WORKS  
CDO ORGANIZATION  
CONTRACT & MANUAL UNIT**

No.DGW/CON/124/

Dated: Nirman Bhawan, New Delhi, the 7<sup>th</sup> Aug. 1998

**OFFICE MEMORANDUM**

**Subject: Price preference to the contractors belonging to SC/ST for award of contracts in respect of works in Central Public Works Department.**

In continuation of this office memo No.DGW/CON/96 dated 28.5.96, a copy of Ministry of Urban Affairs and Employment (Works Division) No.28012/38/83-W3-W4 dated 22.6.98, conveying the approval of the Government to the continuance of the above noted concessions for a further period of two years from 1.1.98, is forwarded herewith for information and guidance.

**Encl:** One

Sd/-

**(P.K. Mathur)  
Superintending Engineer (C&M)**

(Issued from file No.15/1/96/SE/CM)

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**Government of India  
Central Public Works Department  
Directorate General of Works  
CSQ Organisation  
Contracts & Manual Unit**

No. DGW/CON/125

Dated Nirman Bhawan, New Delhi, the 31<sup>st</sup> Aug., '98

**OFFICE MEMORANDUM**

In the rules for enlistment of contractors in B&R category in CPWD, it is provided that the contractor should have completed at least three works of required magnitude (appropriate to the class in which the enlistment is sought) during the last five years. Doubts have been raised as to the nature of such works. It is, therefore, clarified that out of three works required for the enlistment of a contractor in B&R category, at least two works should be building works, the third one may be any other civil work such as road work, development work, etc..

This issues with the approval DG(W)



(P.K.Mathur)  
Superintending Engineer(C&M)

(Issued from file No. 14/7/96/SE/CM)

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**Government of India  
Central Public Works Department  
Directorate General of Works  
CSQ Organization  
Contracts & Manual Unit**

No.DGW/CON/128

Dated, Nirman Bhawan, New Delhi, the 8<sup>th</sup> March, 1999

**OFFICE MEMORANDUM**

Subject: Amendment No.1 to General Conditions of Contract for Central P.W.D. works, 1998 - Amendment to Form CPWD-6.

\*\*\*\*\*

In accordance with this Directorate Office Memorandum No.DGW/MAN/22 dated 8.3.99 condition No.8 of Form CPWD-6 included in General Conditions of Contract for CPWD works, 1998 is amended as below:

- 8.1 The tender shall be accompanied by earnest money, (unless exempted) of Rs..... in cash/Receipt Treasury Challan/Deposit at Call receipt of a Scheduled Bank issued in favour of.....the amount being credited to ..... A contractor exempted from depositing earnest money in individual cases, shall attach with the tender an attested copy of the letter exempting him from depositing earnest money and shall produce the original when called upon to do so.
- 8.2 The tender and the earnest money shall be placed in separate sealed envelopes each marked "Tender" and "Earnest Money" respectively. In cases where earnest money in cash is acceptable, the same shall be deposited with the Cashier of the Division and the receipt placed in the envelope meant for earnest money. Both the envelopes shall be submitted together in another sealed envelope. The envelope marked "Tender" of only those tenderers shall be opened, whose earnest money placed in the other envelope is found to be in order.



(P.K. Mathur)  
Superintending Engineer(C&M)

(Issued from File No.30/1/96/SE/CM)

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