

Government of Orissa
Works Department

No. 3208 /W., Dated, Bhubaneswar the 29-2-2002
FA-R-5/2002.

From Smt. S. Pattayat,
Asst. Financial Adviser-Cum-
Under Secretary to Government.

To The Executive Engineer,
Jagatsinghpur (R&B) Division,
Jagatsinghpur.

Sub :- Work/Department letter No. FA-11/2001/
10003/W., dated 24.5.2001.

Sir,

In inviting a reference to your letter
No. 4024 dated 29.10.2001 on the above subject, I am
directed to send herewith an extract copy of the
proceedings of the meeting of the Codes Revision
Committee held on 21.11.2002 for favour of your
reference.

Encl: As above.

Yours faithfully,

(Signature)
Asst. Financial Adviser-Cum-
Under Secretary to Government.

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5- Providing facilities to the Engineer Co-operative Societies and Labour Contract Co-operative Society.

The Committee went through the proposal of the Committee of Chief Engineers to review the facilities allowed to the Co-operative Societies and decided to continue the present practice. Any further concession/benefit to the Co-operative Societies as suggested by the Registrar, Co-operative Societies will be additional financial burden to the State exchequer. At present the State is passing through a severe financial hardship for which it is not desirable to extend further facilities to Co-operative Society and Labour Contract Co-operative Society.

The Committee also decided to endorse this observation to the Registrar, Co-operative Societies and Co-operation Department of Government for favour of reference.

Item No.6- Clarification to the Works Deptt. Circular No.10003/W dt.21.5.2001.

The Committee discussed pros and cons on the doubts raised in different quarters in regard to the Works Deptt. Circular No.10003 dt.21.5.2001 and observed as follows:-

Doubts.

1. Whether the Engineer Contractors can participate only in three tenders without E.M.D. irrespective of the fact whether they are successful in the competition or not.
2. Whether they will continue to participate in tenders without E.M.D. without any restriction of nos. of chances, can enter into only three contracts without E.M.D. & I.S.D.

Observation

1. Engineer Contractor can participate in three tenders without E.M.D. in a financial year. The question of success in the competition has no relation with this exemption of E.M.D.
2. As stated above, an engineer contractor can participate only in three tenders without E.M.D. during a financial year. For participating in more than three tenders during a financial year the

Doubts

Observation.

Engineer Contractor has to deposit the E.M.D. as per provision.

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| <p>3. Whether the fact of awarding work with exemption of E.M.D. will be entered in the Original Registration Certificate at the time of participating in the tender or at the time of drawal of agreement.</p> <p>4. Whether the terms "Awarding a work with exemption of E.M.D." means execution of works contractors or includes participation in tenders without E.M.D.</p> <p>5. Whether another facility of "Popularly known as "award of work" to Engineer contractors for a maximum amount of Rupees two lakhs per year without tender with benefit of exemption of E.M.D. and I.S.D. still remains in force or this benefit stands withdrawn.</p> | <p>3. Exemption of E.M.D. will be entered in the Original Registration Certificate of the engineer contractor at the time of participating in the tender.</p> <p>4. The term "Awarding a work with exemption of E.M.D." as mentioned in the Works Deptt. Circular No. 10003 dt. 21.5.2001 means participation in tender without E.M.D.</p> <p>5. The facility of award of work to engineer Contractor for a maximum amount of Rs. 2.00 lakhs per year without tender with benefit of E.M.D. & I.S.D. is still in force.</p> |
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The Committee also decided to intimate this observation to proper quarter for favour of their reference.

Item No.7. Clarification on award of works to the Engineer Contractor.

The Committee went through the doubts raised by the Committee of Chief Engineers and observed as follows:-

1. The benefit of award of work as per the Works Deptt. Circular No. 292 dt. 4.1.92 is also applicable for the Graduate Engineer enlisted as 'A' Class and Diploma Holder enlisted as 'B' Class.
2. Award of works upto Rs. 2.00 lakhs and Rs. 1.00 lakh to Graduate Engineer having 'A' Class licence and Diploma Holder having 'B' Class licence respectively in a financial year at current schedule of rate without calling tender is still in force.

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