

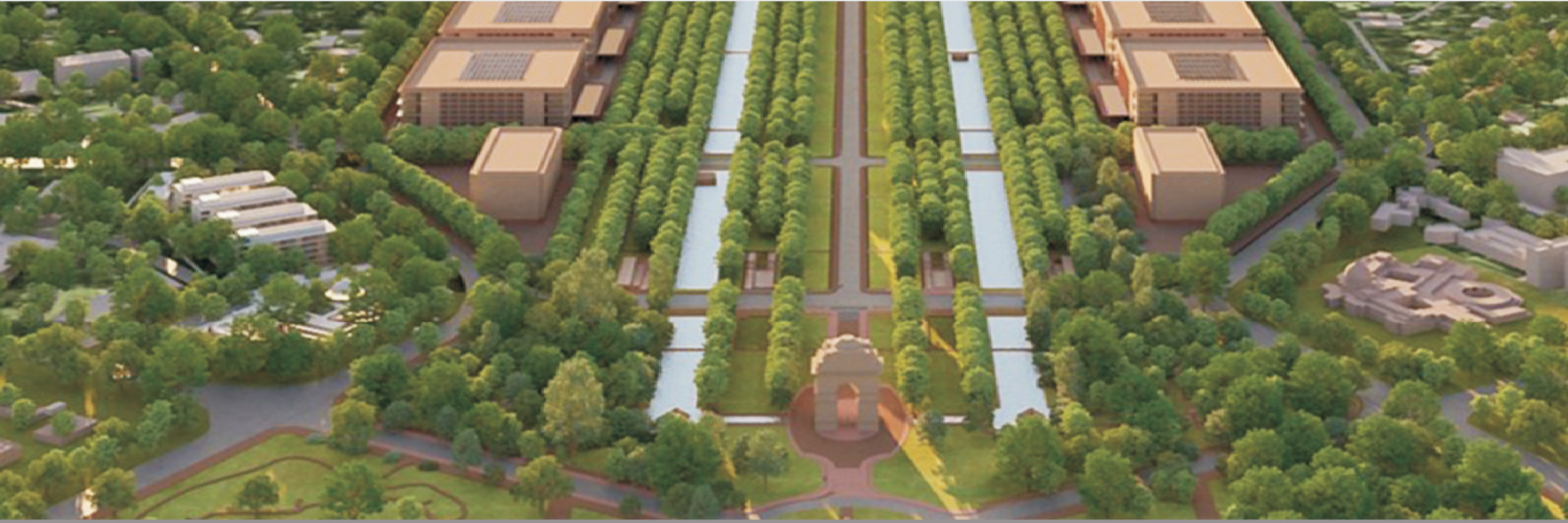


सत्यमेव जयते

CPWD WORKS MANUAL

2022

(Updated upto OM No. DG/MANUAL 2022/05 dt. 09.11.2022)



Published under the authority of
Director General, CPWD, Nirman Bhawan, New Delhi





GOVERNMENT OF INDIA

CENTRAL PUBLIC WORKS DEPARTMENT

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2022

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A GOVERNMENT OF INDIA PUBLICATION

Published by
DIRECTOR GENERAL
CPWD, Nirman Bhawan, New Delhi - 110011

Printed & Marketed by
JAIN BOOK AGENCY (CENTRAL)
4638/21, Ground Floor, Ansari Road,
Daryaganj, Opp. Fire Station, New Delhi-110002
Phone : 011-43513570, 44556677 Mob: 9868378448, 8810566260
E-mail : cp@jainbookagency.com

Also available at
All Leading Booksellers & Authorised Govt. Dealers In India

Price : Rs. 1000/- (for complete set containing CPWD Works Manual 2022 and SOP 2022 updated upto 09.11.2022) excluding postage and forwarding charges etc.



Shailendra Sharma
Director General



भारत सरकार
Government of India



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FOREWORD

Over the years, the CPWD Works Manual has served as a guide book for CPWD. The Government of India in the last few years has introduced several new provisions/ instructions on public procurement. Some of these important changes include introduction of Central Public Procurement Portal (CPPP), Government e-Marketplace (GeM), preferential market access for micro and small enterprises, preference for domestic manufacturers, Contracts on EPC mode etc. The Department of Expenditure has also issued General Financial Rules (GFR) 2017, "Manual for Procurement of Works 2019", -Manual for Procurement of Goods 2017" and "Manual for Procurement of Consultancy and Other Services 2017".

With new emerging construction technologies gaining prominence and with the rising expectations of various stakeholders for timely delivery of the projects, there is a need for transformative changes requiring revision of the Works Manual to make it more nimble, effective and delivery oriented, rather than being process centric.

This CPWD Works Manual 2022 has been issued covering various guidelines and circulars issued during the period 2019 to June-2022. It is also in consonance with the fundamental principles of service delivery, customer focus, efficiency, transparency, fairness, competition, economy and accountability. Efforts have been made to cover all major aspects of construction and maintenance in a user-friendly manner while having the necessary flexibility to quickly respond to the varying scale and complexities of requirements of the clients.

I hope this updated version of CPWD Works Manual 2022 will benefit all the CPWD Officers and other Stakeholders.

I would like to acknowledge the lead taken by Shri Vinayak Rai, Chief Engineer CSQ (Civil) and dedicated efforts of Shri Vijay Prakash Sahu, SE(C&M), Shri Samsher Ali, Director (Finance), Shri R.K. Singh EE (Manual), Shri A K. Sharma AE (Manual) CSQ and all other officers of CSQ under dynamic leadership of Shri Dharmesh Chandra Goel, ADG (Tech.) and other units who have individually provided their valuable inputs in revision of this Manual

Place : New Delhi
July, 2022


(Shailendra Sharma)



Dharmesh Chandra Goel
Addl. Director General (Tech)



भारत सरकार
Government of India



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PREFACE

CPWD Works Manual was last published in the year 2019. Over the years, various guidelines have been issued on procurement by the Government of India.

'CPWD WORKS MANUAL 2022' is being issued after incorporating various guidelines issued during the period 2019 to till June-2022. It mandates the provisions whereas workflow processes are outlined in the SOPs (Standard Operating Procedures).

The Manual is user friendly. The chapters and their contents are arranged as per the sequence of execution of works. Stepwise reading is good enough for any beginner to absorb the sense of the mandate. "Definitions", "Glossary of Terms", "About the Manual" shall facilitate easy comprehension.

Every effort has been made to bring out the Works Manual 2022 with utmost precision and accuracy. However, if any discrepancy is noticed herein, it may be brought to the attention of Chief Engineer (CSQ) (Civil), CPWD, Room No. 325-A, Nirman Bhawan, New Delhi- 110011.

I am grateful to Shri Shailendra Sharma, Director General, CPWD, without whose worthy guidance and support, it would not have been possible to complete the assiduous and challenging task of revising this Manual. Shri Vinayak Rai, Chief Engineer, CSQ (Civil), and his team comprising Shri Vijay Prakash Sahu, SE(C&M), Shri Samsher Ali, Director (Finance), Shri R. K. Singh EE(Manual), A. K. Sharma, AE (Manual), CSQ and all other officers and staff members of CSQ have my deep appreciation for synchronizing their energies and working tirelessly to bring out this Manual.

Place : New Delhi

Date: July, 2022

(Dharmesh Chandra Goel)

Additional Director General (Technical)

PREAMBLE

The Central Public Works Department solemnly resolves to achieve Customer Satisfaction through Quality, Timely Delivery and Transparency in effective execution of works and delivery of services while adhering to the principles of Sustainable Development.

ABOUT THE MANUAL

1. The Manual has been divided into four parts as:

Part I : General provisions common to both Construction and Maintenance works.

Part II : Provision related to Construction works.

Part III : Provisions related to Maintenance works.

Part IV : Provisions related to Green Buildings and Sustainability Measures.

“Financial Powers Delegated to CPWD Officers” are available in SOP **Annexure-66**.

Preamble has been added to the Manual which defines the guiding spirit of the various provisions included in this Manual.

2. The Manual follows the ordinary sequence of execution of construction and maintenance, including pre-construction and pre-maintenance activities.
3. The Standard Operating Procedures (SOPs) for the CPWD Manual 2022, in general, are a compendium of standard procedures and work-flows as prevalent in CPWD.
4. It shall always be open, where authorities of one or more levels may be missing, for a higher authority to exercise the powers delegated to a lower authority. Similarly, whenever any lower authority fails to take action(s) or exercise his/ her delegated powers, it will always be open to the higher authority to exercise the powers of the lower authority, but with recorded reasons, if the requirements of the work so demand.
5. Relaxation of any provision of the SOPs in the interest of requirements of work, in keeping with the provisions in the preamble to the CPWD Works Manual 2022, would be allowed to officer not below the rank of ADG/ SDG with recorded reasons.
6. The Manual should be read as imposing a positive duty on CPWD officers for timely delivery of works with quality.
7. In case of any conflicting provisions in the Manual and SOPs vis-a-vis “The General Conditions of Contract (GCC)”, the provisions made in the GCC shall prevail in contract management. Similarly, Acts, Laws as notified by the government, GFR provisions and CVC guidelines shall prevail over provisions of the Manual and the SOPs.
8. The Works Manual 2022 alongwith SOPs has been revised and published as per the approval of the DG, CPWD.

SALIENT FEATURES OF THE CPWD WORKS MANUAL 2022

1. The CPWD Works Manual 2022 has been revised by incorporating all office memorandums/circulars/modifications issued after release of CPWD Works Manual 2019 and changes on account of restructuring in CPWD vide OM No. DG/CAD/391 dated 25.03.2019.
2. The Manual aims to achieve Customer Satisfaction through Quality, Timely Delivery and Transparency in effective execution of works by simplifying procedures to improve client interface, eliminate delays, improve responsiveness and service delivery, improve productivity, avoid arbitration and litigation.
3. The Manual is divided into four parts: Part I: General provisions common to both 'Construction' & 'Maintenance' works; Part II: Provisions related to construction works; Part III: Provisions related to Maintenance and Repair works; and Part IV: Green Buildings and Sustainability Measures. The Mandatory provisions have been retained in the Manual and the Operating Procedures have been separated and included in the document for Standard Operating Procedures (SOPs). The SOPs, in general, are the standard procedures and workflows as prevalent in CPWD.
4. To the extent possible, workflows have been re-designed in such a way that for work execution operations, only minimum levels in hierarchy of approvals, i.e: (i) Technical Sanctioning Authority (ii) Site Engineers will be required.
5. The powers of the officers manning these levels would be determined by their ranks as per the "Financial Powers delegated to CPWD Officers".
6. "Make in India" Public Procurement Policy, Use of C & D Waste, Use of Fly Ash Bricks, "Skill India" Policy, Dust and Pollution Control measures in construction as notified by the CPWD Directorate from time to time have been made part of the Manual.
7. Provision of SPV included for larger magnitude projects as notified by the Directorate from time to time.
8. Provision of appointing IEM (Independent External Monitor) for large magnitude projects included as notified by the Directorate from time to time.
9. Relaxation of any provision of the SOPs in the interest of requirements of work in keeping with the provisions in the preamble to the CPWD Works Manual 2022, will be allowed by the authority not below the rank of ADG/SDG with recorded reasons.
10. Departmental Charges are to be levied only for works of PSUs, Local bodies and Private organizations.
11. No expenditure over the A/A & E/S is permissible without approval of client. In budgetary works of MoHUA excess up to 10 % of A/A and E/S allowed.
12. The definition of the Technical Sanction (T/S) is simplified.
13. Powers to sanction Extra Items and Deviations simplified. Time limits for sanction of extra/deviation items have been defined.
14. For "Design and Build" / EPC contracts, method to determine reasonableness of prices made clear and simple. Technical Sanction will not be required for "Design and Build"/ EPC Contracts.

15. For Maintenance Works T/S would be required for rehabilitation works only and not for general maintenance work.
16. Departmental Architects or Private Consultants as the case may be to prepare concept design/ preliminary drawings/ specifications etc. before framing of PE in “Design and Build”/ EPC mode.
17. Engagement of Consultant will be done by the T/S Authority with recorded reasons, as per the Delegation of Financial Powers.
18. The scope of utilization of contingencies of sanctioned work expanded.
19. List of items under Emergent Works expanded. Guidelines incorporated to ensure transparency and uniformity while declaring the work as Emergent work.
20. Revised T/S is required to be issued only on deviation in scope of work due to structural requirements.
21. Limit for engaging TPQA to be as per directions issued from time to time by the CPWD Directorate. Guidelines on Quality Assurance modified as system of quality assurance team at circle level is dispensed with.
22. The Engineer-in-Charge shall be responsible for overall quality of the work.
23. Separate chapters for Maintenance Work included. Taking up of maintenance of buildings not constructed by CPWD to be approved by an officer of the rank of CE or above.
24. PE to be sent by the officer competent to send PE of the major component of the work. Preliminary Estimate validity incorporated. Preliminary Project Report (PPR) shall be submitted for works costing more than Rs.10 Cr. Format for PPR included. Presentation to be made about the PPR, if desired by client, for projects above Rs.100 Cr.
25. Tenders for all Specialized Works to be invited from specialized agencies as well as CPWD and Non CPWD contractors, subject to fulfilling of eligibility criteria by them.
26. All pre-construction activities are to be coordinated by the officer under whose T/S powers, the A/A & E/S Amount of the work is expected to fall.
27. All measurements to be done as per provisions of GCC and abstract of schedule of measurements and payments are to be entered through PFMS portal of CPWD using e- MB module.
28. The authority declaring the material as unserviceable as per delegation of financial powers is now empowered to approve the method of its disposal.
29. All definitions have been consolidated and included separately at the beginning of the Manual.
30. Provision of the Dispute Resolution Committee (DRC) has been dispensed with. Procedure for conciliation and arbitration for settlement of disputes modified.
31. Central and Regional Works Board re-organized. Location and constitution of Regional Works Boards defined.
32. Regional Audit Committees reconstituted as per revised organizational structure.
33. New provision for Global Tender Enquiry (GTE) incorporated.
34. Order of preference in EPC mode defined.

35. Testing charges to be borne by the contractor.
36. Procedure for refund of EMD simplified.
37. Procedure for monitoring of Bank Guarantee incorporated.
38. Provision for release of withheld amount on account of milestones made against submission of FDR/BG.
39. Guidelines for monitoring the issue of occupancy certificate included.
40. Time schedule for payment of bills defined.
41. Authorities for recording completion certificate defined.
42. Overall deviation limit in maintenance contracts redefined.
43. "Green level certification" of GHAR made mandatory for works costing Rs. 50 Cr. or above.
44. Glossary of terms included.

DISCLAIMER

Whereas every care has been taken to ensure that all relevant and essential provisions required for execution of Construction and Maintenance Works are incorporated in this CPWD Works Manual 2022 in a simplified and transparent manner, all executing entities referring to are requested to bring it to the notice of the Directorate, if any conflicting provisions/ discrepancies are noticed in the CPWD Works Manual 2022.

This CPWD Works Manual 2022 is prepared for the use of CPWD. However, this may be used by other government departments, PSUs, private bodies & other institutions or individuals at their own discretion only. CPWD shall not be responsible for any ambiguity, discrepancy, dispute or financial loss, arising directly or indirectly by using or following CPWD Works Manual 2022 by such Government/ Private bodies or individuals.

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GLOSSARY OF TERMS

A/A & E/S	Administrative Approval & Expenditure Sanction	JE	Junior Engineer
ADG	Additional Director General	LOC	Letter of Credit
AEE	Assistant Executive Engineer	LOI	Letter of Intent
AE	Assistant Engineer	MAS	Material at Site
A/R & M/O	Annual Repair and Maintenance of	MB	Measurement Book
CA	Chief Architect	MoU	Memorandum of Understanding
CCA	Chief Controller of Account	MSME	Ministry of Micro, Small and Medium Enterprises
CE	Chief Engineer	MoHUA	Ministry of Housing and Urban Affairs
CPWD	Central Public Works Department	MoUD	Ministry of Urban Development
CSSA	Cash Settlement Suspense Account	NIQ	Notice Inviting Quotations
CTE	Chief Technical Examiner	NIT	Notice Inviting Tender
DC	Departmental Charges	NITI Aayog	National Institute for Transforming India Aayog
DDO	Drawing & Disbursing Officer	OM	Office Memorandum
DE	Detailed Estimate	PAC	Public Accounts Committee
DG	Director General	PAO	Pay and Account Officer
DOE	Directorate of Estate	PE	Preliminary Estimate
DPR	Detailed Project Report	PG	Performance Guarantee
E&M	Electrical & Mechanical	PFMS	Public Financial Management System
EE	Executive Engineer	PM	Project Manager
EI	Electrical Installation	PMS	Project Monitoring System
EIA	Environmental Impact Assessment	PWD	Public Works Department
E-in-C	Engineer - in - Charge	QA	Quality Assurance
EOT	Extension of Time	SE	Superintending Engineer
EPC	Engineering Procurement and Construction	SI	Sanitary Installation
EMD	Earnest Money Deposit	SOP	Standard Operating Procedure
GCC	General Conditions of Contract	SOR	Schedule of Rates
GeM	Govt. e- Market Place	SPI. DG/ SDG	Special Director General
GFR	General Financial Rules	TPQA	Third Party Quality Assurance
GST	Goods & Service Tax	T/S	Technical Sanction
HVAC	Heating Ventilation and Air Conditioning		
IEM	Independent External Monitor		

DEFINITIONS

Administrative Approval & Expenditure Sanction: Communication of formal acceptance of the proposals by the competent authority of the Administrative Ministry/ Department requisitioning the work.

Additions/Alterations Works: Works which are carried out in any existing structure as per laid down norms or as per requirements of the client department.

Budgeted Works: The works that are undertaken under an outlay that provided wholly from the financial estimates and accounts of the Union of India those laid before and voted by both the Houses of Parliament.

Composite Tenders: Tenders comprising of components of more than one discipline viz Civil, Horticulture, Internal Electric Installations and other Internal & External Electrical Works including Services.

Contingencies: Provision made in the estimates for meeting out unforeseen incidental expenses of miscellaneous character which cannot appropriately be classified under any distinct sub head or sub work, yet pertain to work as a whole and are contingent to the completion of the work.

Construction Stage: Stage between acceptance of tender and completion of work.

Comprehensive Maintenance works: Combined Civil, Electrical and Horticulture maintenance works carried out under a single contract.

Cost Index: An indicator of the average cost movement over time of a fixed basket of representative goods and services related to execution of works.

Departmental Charges: Agency Charges levied by CPWD for execution of works.

Detailed Estimate: Complete and comprehensive estimate of a work, based on the rates given in the SOR for those items covered by it and on market rates for the remaining items, supported by detailed drawings and specifications.

Detailed Project Report (DPR): A detailed appraisal report of a project containing documents as described in the Works Manual.

Deposit Work: The term 'Deposit Works' is applied to works of construction or repairs and maintenance, the cost of which is met out of Government grants to autonomous or semi-autonomous bodies or institutions through their Administrative Ministries, or is financed from non-Government sources wholly or partly from :

(a) Funds of public nature, but not included in the financial estimates and accounts of the Union of India or
(b) Contributions from the public.

Deviation in Quantities: Variation in quantities of items of the contract as given in the schedule of quantities and actually executed.

Divisional Officer: The Officer usually of the rank of Executive Engineer who is heading the executive unit of the department i.e the Division and is also entrusted with the responsibility of receipt and disbursement of public money.

Earnest Money: Amount paid by a bidder in required form as a security for not backing out from his/her tender before its acceptance or refusing to execute the work after it has been awarded to him/her.

Emergent Works: Works which arise all of sudden out of any Critical or Emergent situation of inescapable nature and which brooks no delay and are to be awarded expeditiously.

Engineer-in-Charge: The Officer or his representative entering into the agreement with the contractor on behalf of President of India.

Enabling Estimate: Estimate that is prepared for carrying out pre-construction activities of a work.

Extra Item: Items that are completely new and are in addition to the items contained in the schedule of quantities of the contract.

Item Rate Tender: Tenders in which the contractors are required to quote rates for individual items of work as given in the schedule of quantities.

Minor Works: Works which add capital value to existing assets but do not create new assets.

Negative Deviation: When total quantity of an item executed is lower than the quantity of the item as stipulated in the contract.

Normal Works: Works which are not any of the following:

Works of Emergent and/or Urgent nature and/or Specialized Works.

Open Call of Tenders: Tendering process in which tenders are not invited on a restrictive call basis.

Original Works: Works involving all new constructions, site preparation, additions and alterations, special repairs to newly purchased or previously abandoned buildings or structures, including re-modelling or replacement.

Percentage Rate Tender: Tenders in which the contractors are required to quote rates on percentage basis i.e. above or below the estimated cost put to tender.

Preliminary Estimate: Estimate prepared for construction/repair/maintenance works based on plinth area cost basis with CPWD Plinth Area Rates (PAR) or any other method without detailed items of work for obtaining A/A & E/S.

Pre-construction Stage: Stage before acceptance of the tenders for the work.

Post-construction Stage: Stage after completion of the work.

Repairs and Maintenance works: All works undertaken to maintain the assets in a proper service condition and for maintenance and operation of all services therein.

Restricted Tenders: Tenders of Secret/ Special nature requiring specialized equipment or maintenance of VIP residences/important buildings invited from limited prequalified contractors.

Rough Cost Estimates: Estimates for a ready approximate cost of work which are prepared on the request of the client only to assess the cost of the project based on the input given by the client with or without any preliminary design/drawings.

Special Repair Works: Major repairs or replacement or remodeling of a portion of an existing structure / installation or other works which needs replacement of the major component of structure/ installation due to major breakdowns, or its deterioration.

Specialized Works: Specialized works /items/ jobs are those works that requires expertise/specialized skill and are executed after prequalification of agencies.

Substitute Item: Item executed in place of item of work available in the schedule of quantities of the contract.

Technical Sanction (T/S): A certificate that the detailed estimate has been prepared and approved on the basis of a properly detailed design.

Technical Sanction Authority: The authority who approves the detailed estimate and issues Certificate of Technical Sanction for the work.

Up-gradation Works: Works carried out to an existing structure pursuant to revised norms/specifications as notified from time to time by the CPWD Directorate/ Client Department.

Urgent Works: Urgent works are works which require fast start/completion within compressed schedule and are to be taken up on top most priority at the instructions of competent authority or on specific request of the user department.

PART I

FUNCTIONS, FUNDS, BUDGET AND ACCOUNTS

CHAPTER 1

GENERAL PROVISIONS

1.0 Functions

The Central Public Works Department (CPWD) is the Central Government agency operating throughout the country for:

- (1) Planning, construction, maintenance and repairs of all buildings, and other works as assigned by the Central Government Ministries, Departments, PSUs, autonomous bodies and other organizations.
- (2) Valuation of properties/assets as and when requested by the statutory authorities such as Income Tax, ED, CBI, etc.
- (3) Assessment of rent for hiring of private properties and assessment of value of properties for purchase by various Ministries/Departments of Govt. of India.
- (4) Advising Govt. of India on various Technical matters relating to public works.

1.1 Standard Forms of Contract, Forms for Bills and Vouchers used for Payments

The following different forms of contract/ bills are used in CPWD depending upon the nature of work:

- (1) Percentage Rate Tender document (CPWD Form 7): This form is used for works in which contractors are required to quote rates on percentage basis i.e. above or below the estimated cost put to tender.
- (2) Item rate Tender document (CPWD Form 8): This form is used for works in which contractors are required to quote the rates against each item of work. This form is generally used where most of the items are non-scheduled or specialized items and detailed analysis of rates is not available.
- (3) Supply of materials (CPWD Form 9): This form is normally used where the purchase of materials is involved. In this form, the contractors are required to quote rates for supply of the required quantity of materials, whether raw or finished.
- (4) Piece Work (CPWD Form 10): This form is used mainly in cases, where it is necessary to start the work in anticipation of formal acceptance of contract. An agreement on piece work form may be drawn and the contract may be cancelled as soon as regular contract is signed.
- (5) Work Order (CPWD 11A): This form is normally used for works which are to be awarded without call of tender. In Form 11A, the contractor is bound in respect of the quantity of work and the time in which it is to be completed.
- (6) Lump sum Contract document (CPWD Form 12): This form is used for works in which contractors are required to quote a lump sum amount for completing the work in accordance with the given designs, specifications and functional requirements.

- (7) Tender document for demolition of Buildings (CPWD Form 47): This form of tender is adopted for demolition of buildings and removal of debris from the site.
- (8) Annual Rate Contract for Maintenance: This is suitable for repetitive nature of jobs which require immediate start and uniformity of rates, mainly for minor works and works of Additions and Alterations. The works have to be planned in advance and a number of agencies for works in each colony should be fixed before the start of financial year. Normal A/R & M/O works, however, shall be dealt with under normal tendering system.
- (9) World Bank Documents: The standard bidding documents finalized by the World Bank are used for works aided by it. Only work specific changes, acceptable to the Bank can be introduced through additional conditions or contract data sheets. No changes may be made in the standard wordings of the standard bidding document. The two authorities for administering the contract for World Bank project, viz. the “Employer” and the “Engineer” should be substituted with “The Central Public Works Department” represented by CE/ SE or any other authority designated by CPWD Directorate and “The EE/Engineer-in-Charge” respectively in the Additional Conditions of Contract, should be got approved by the World Bank representative. It should be mentioned that it shall be open for the Engineer-in-Charge to invite a third party to inspect the work and advise him/ her on the quality, workmanship etc. of the work.
- (10) EPC (Engineering, Procurement and Construction) – This form is used for EPC works in which contractors are required to quote rates/percentage (above/below) on estimated cost as per NIT conditions.
- (11) The various forms of Bills and Vouchers used in CPWD for making payments are given in **Annexure -1** of SOP document.

1.2 Funding of Project/ Works:

The various modes for funding of Project/ works are as under:

- (1) By Letter of Authorization: The budget is received through the Pay and Accounts Officer of client department. The PAO of CPWD/MoHUA is authorized by the PAO of the client Department for charging the expenditure to the Heads of Account operated by the respective Ministries. This mode is adopted for transfer of funds from one department of government of India to other.
- (2) Budgeted works: In this mode, outlay is provided from the financial estimates and accounts of the Union of India that are laid before and voted by both the Houses of Parliament through Ministry of Housing & Urban Affairs.
- (3) Deposit: This mode is adopted for the works of State governments, local bodies, PSUs, autonomous organizations etc.
- (4) CSSA-Cash Settlement Suspense Account: In this mode of funding, the funds are made available after carrying out the works pertaining to the Cabinet Secretariat and the Ministry of Defence. The expenditure is booked by CPWD first in suspense account and then the bill is raised on the client against which payments are made by the client and the suspense account is cleared. LOC for this is also given by CCA against assurances given by the clients.
- (5) Funding by foreign countries: This system is followed when a project executed in India is completely funded by foreign countries.

1.3 Central Works Board

As laid down in the CPWD Code, the Government of India has constituted a Central Works Board for approval of tenders and other miscellaneous matters relating to execution of works.

1.3.1 Composition of Central Works Board

- (1) The Board consists of a Chairman and four Members. The Director General, CPWD is the Chairman. The Director (Works) of MoHUA, Chief Controller of Accounts, MoHUA and CE CSQ (Civil) are Members. The Director (finance), CPWD acts as the Secretary of the Board.
- (2) The Board has the authority to co-opt members including non-official experts and the representatives of the other Administrative Departments of the Government of India when so required for advice on matters as to the execution of Specialized Projects i.e. Aviation Works, Factory Works, Projects, etc.

1.4 Regional Works Board

Regional Works Boards are constituted for approval of tenders within its delegation of financial powers as notified by the CPWD Directorate. Details are given in SOP No. 5/7. (Added vide OM no. DG/Manual 2022/02 dated 19.09.2022)

1.4.1 Composition of Regional Works Board

- (1) The RWB consists of a Chairman and three members. Special DG concerned as notified by the CPWD directorate acts as Chairman, ADG of the Region and Director (Finance) CPWD/ representative of CCA as members. The concerned CE/SE presents the case before the Board. Director (Finance), CPWD is the member of the RWB for Delhi as notified by CPWD Directorate, while for other stations, the member is nominated by CCA, MoHUA. The Chief Engineer (W & TLQA) or as notified by CPWD Directorate is the Member Secretary of the RWB. The Secretarial work of the Board is to be done by the unit attached to Chief Engineer (W & TLQA) or as notified from time to time by CPWD Directorate.
- (2) The Regional Works Board has the authority to co-opt the representative of client department as Member, if so required.

1.5 Works of Inescapable Nature

Various works of inescapable nature can be classified as under:

(1) Emergent works

These are emergency works which arise all of sudden and are of inescapable nature requiring immediate action that cannot brook any delay like:

- (i) Natural calamities like Earthquakes, Blizzards, Hurricanes/ Lightning, Tornados, Tsunami waves, Floods.

- (ii) Other causes like Explosions/Arson, Fire, War, Sudden collapse of building/bridge, Terrorist attack, Mass strike affecting civic services such as water, sewer and power supply, spread of epidemic, works required for maintaining law and order.
- (iii) Restoration of essential services in case of accidents/ break down etc.
- (iv) Ceremonial functions at the time of death of President/Ex President, Vice President/ Ex Vice President and Prime Minister/Ex Prime Minister.
- (v) Restoration of services in Parliament, President/ Vice President House/ Prime Minister House, Prime Minister's Office, Hyderabad House, National Security Council Secretariat and other Buildings of National importance and prestige.
- (vi) Works ordered by OSD/PS to PM, OSD to Dy PM and Vice President Secretariat to be executed by CPWD within a specific time frame.
- (vii) Works on a specific reference from the Secretariat to the President of India.
- (viii) Critical Hospital services works on the requisition from Medical Supdt. or equivalent.
- (ix) Works on the specific reference from Chief of Protocol, Min. of External Affairs or on his behalf for Hyderabad House, New Delhi.
- (x) Any other work, apart from the above, declared as Emergent by the CE or the next authority if there is no CE.
- (xi) To ensure -, transparency and uniformity while declaring the works emergent, the Competent Authority i.e. CE/ADG/SDG should record a certificate that:
 - (a) The work has arisen all of sudden.
 - (b) The work is of inescapable nature requiring immediate action that cannot brook any delay.

The Competent Authority while declaring any work as emergent may also decide the mode of calling quotations i.e. whether spot or through e-tender portal duly supported with reasons.
- (xii) Details of works awarded on the basis of spot quotation should be compiled by each circle/zone (SE/CE) on quarterly basis and submitted to ADG/SDG.

The Engineer in Charge as per his competence shall proceed to carry out the necessary work and shall immediately intimate PAO concerned that such liability is being incurred with approximate amount of liability. The competent officer should initiate action for the A/A & E/S and accord of T/S (if applicable) to regularize the liability.

Such emergent works can be executed without call of tenders by issuing work order or on hand receipt after collecting spot quotations as per delegation of powers given in "Financial Powers Delegated to CPWD Officers". Spot quotations shall be collected by officers not below the level of AE/AEE.

(Normal works which require compressed schedule for completion/early start should not be considered as Emergent works)

(2) Urgent Works:

- (i) The urgent works need not to be treated at par with the works to be taken up under emergency situations. These are works which require early start/completion within compressed schedule and are to be taken up on topmost priority at the instructions of competent authority or on specific request of the user department. Under these situations availability of funds needs to be ensured before taking up execution of such works. Engineer-in-Charge shall be responsible for assessing the urgency of the work. Normally, unless situation warrants otherwise, work orders shall be placed after open call of quotations with publicity through web for works upto Rs 5 lacs. Quotations for works with estimated cost more than Rs. 5 lacs shall be invited through e- tendering platform. In case of exigencies, with recorded reasons, the urgent work may be executed by collecting spot quotations as per delegation in “Financial Powers Delegated to CPWD Officers”. In case of Deposit works, urgent works can be taken up on written request of the client.
- (ii) Details of urgent works should be compiled by each circle/ zone (SE/ CE) on quarterly basis and submitted to ADG/ SDG for review.

1.6 Clarifications, Amendments and Revision of Manual

For any clarification or interpretation of any of the provisions of the Manual, the matter shall be referred to DG, CPWD who being technical Advisor to GoI, shall be the competent authority to decide and make necessary amendments in engineering and technical matters. For matters relating to financial policy, delegation of financial powers or any other policy matters issued by the GOI, shall be referred to MoHUA.

Guidelines/orders/notifications related to Public procurement Policy have also been issued by M/ o Finance, Deptt. of Expenditure, M/o Electronics & IT, CVC etc. CPWD Directorate has been issuing directions for compliance of the said orders and their inclusion in the tender conditions. The same are uploaded on the CPWD Website and are to be followed.

CHAPTER 2

BUDGET AND RECONCILIATION OF ACCOUNTS

2.1 Documents of Accounts

The following documents are mandatory for proper accounting for the works as prescribed in CPWD Accounts Code and O/o CCA, MoHUA:

- (1) Bills Register
- (2) Contractor's ledger
- (3) Register of works
- (4) Materials Account
- (5) Cash Book

The procedure and responsibility for the above documents are defined in CPWD Accounts Code.

2.2 Losses of Government Assets

For the procedure, GFR 2017 (as amended from time to time) may kindly be referred. The reporting of losses and follow-up action required thereof is defined in CPWD Accounts Code.

2.3 Accounting Procedure for Works outside India

For the works outside India executed by CPWD as and when assigned by Govt. of India through Ministry of External Affairs, general requirement and accounting procedure for works mentioned in CPWD Accounts Code shall be followed.

2.4 Budget

2.4.1 General

Budget is the Annual Financial Statement of all transactions of the Central Government in and outside India, including estimated receipts and expenditure occurring during the year in which the statement is prepared as well as during the ensuing year. The instructions about the procedure for preparation of the Budget Estimates/Schedule of Demands, Revised Budget Estimates are issued by the Budget Division of the Ministry of Finance in their annual Budget circular.

2.4.2 Budget Authority

The Director General is the budget authority for the preparation and submission of all Budget related proposals for CPWD to MoHUA.

2.5 Consolidated Fund of India

All revenues received by Government, loans raised by it, and its receipts from recoveries of loans granted by it form the Consolidated Fund. All expenditure of Government is met from the Consolidated Fund, as authorised by the appropriate legislature. All appropriations granted by the Parliament expire at the end of financial year and no deduction of unspent budget can be appropriated for meeting the demands in the next financial year. Thus, all unutilized funds within the year 'lapse' at the end of the financial year.

2.6 Demands for Grants

For details regarding 'Procedure for compilation of detailed demands for grants' and 'Procedure to be followed in connection with the demands for supplementary grants', GFR 2017 and Budget Circulars of MoF/MoHUA/Budget Section of O/o DG, CPWD shall be followed.

2.7 Expenditure Relating to New Services & New Instrument of Services

"New Services" refer to expenditure arising out of a new policy decision, not brought to the notice of the Parliament earlier. Likewise, relatively large expenditure arising out of important expansion of an existing activity is treated as a "New Instrument of Service". No expenditure can be incurred from the Consolidated Fund of India on a "New Service"/"New Instrument of Service" without prior approval of the Parliament through a Supplementary Grant. The instructions issued by the Ministry of Finance from time to time are to be followed accordingly.

2.8 Recoveries, Appropriation Bill, Vote on account, Finance Bill, Final Budget

These are the part of budget processes and Budget Manual of the Ministry of Finance and their circulars may be referred for details.

Final Budget is required to be submitted to the Government according to prescribed format by the due date each year. It is to be based on the expenditure actually incurred for the months till 31st December and assessment of anticipated expenditure during the remaining three months i.e. till 31st March, taking into account the progress of the works and the posts in existence. Any modifications in the requirements thereafter will be considered as "Surrenders of Anticipated Savings" or "Applications for Supplementary Grants" by Re-appropriations.

2.9 Preparation of Budget for CPWD

Budget Estimates (including Revised Estimates) for works etc. should be prepared in the forms prescribed by the MoHUA, both for Schemes and Non-Scheme expenditure and submitted as per the guidelines / instructions of Ministry of Finance /MoHUA.

2.10 Budget Heads of Accounts for CPWD

The budget is prepared under various Heads of Accounts depending upon the nature of expenditure. Different Heads of Accounts are controlled by different Ministries/Departments. The same are detailed under List of Major/Minor Heads issued by CGA/ CCA, MoHUA and CPWD Accounts Code as given in **Annexure- 2** and **SOP 2/1**.

2.10.1 Suspense

Along the proposals relating to suspense head "Stock", a working sheet containing the following information should be enclosed:

- (1) Stock holding at the beginning of the year.
- (2) Value of stock expected to be purchased during the year.
- (3) Value of stock expected to be issued during the year.
- (4) Value of expected stock holding at the end of the year, and
- (5) Percentage of stock holdings based on the above data.

2.11 Lease Charges

The following information needs to be supplied:

- (1) The accumulation of arrears for previous years, and
- (2) The likely commitment for the current year.

2.12 New Constructions

Ministries/Departments prepare proposals for “New” construction projects to be included in Budget Grants of MoHUA. These proposals are to be furnished in the Proforma (MIS/B-I) as given at **Annexure -2 and in SOP 2/2**. For Submission of PE/ RE for grant of A/A and E/S for Capital Works of GPRA/ GPOA Scheme funded through MoHUA Grant details are as given in **SOP 2 /3**.

2.13 Charged Expenditure

- (1) All expenditure connected with the satisfaction of decrees of the Courts is to be treated as ‘Charged’ expenditure for payment of award on budgeted works. The payments made in satisfaction of Court decrees etc., in the following cases will not, however, be treated as ‘Charged’ expenditure:
 - (a) (i) Payment of awards under Land Acquisition Act.
 - (ii) Payment of compensation under the Workmen’s Compensation Act, 1923.
 - (iii) Payment of awards by Arbitrators under Arbitration and Conciliation Act, 1996.
 - (iv) Payment by Arbitrators under Industrial Disputes Act, 1947.
 - (b) Payments involving refunds of revenue and security deposits lodged by the contractor and kept in the Public Accounts.
- (2) In case of (a) above, the payments should be made out of the Voted portion of the grants. In respect of (b), the payments should be treated as refunds of revenue and adjusted as deduction from the respective heads provided the original recoveries were treated as receipts and adjusted under the receipt heads of accounts. Wherever the recoveries were adjusted as deductions from expenditure, the refunds of such recoveries under the orders of the Court etc. should be treated as ‘Charged expenditure’.
 - (3) Refunds of Security Deposits should be debited to ‘Public Accounts’ if the same is kept in that account. On the other hand, if the deposit has been forfeited, the refund should be treated as ‘Charged Expenditure’.
 - (4) In cases where an appeal is filed against the decree in the lower Court and the decreed amount is deposited in the Court as security for staying the execution of decree, the same should be kept initially as a ‘Deposit’ in the Public Accounts. Later on, if the amount is refunded as a result of the Court’s order, then the expenditure will be charged in accordance with (1) and (2) above.
 - (5) In case of deposit works, awards should be charged to the work in all cases (whether deposit balances are available or not) and adjustments in accounts made later on.

- (6) Where decrees/awards are normal feature, Ministries/Departments may include provisions for likely payments during a year on the basis of the past trends and other information available with them at the time of framing the estimates. If this provision proves inadequate, it may be supplemented by a Supplementary Appropriation or in the case of an immediate payment, by an advance from the Contingency Fund of India.

2.14 New Construction Projects, Projects Other than MoHUA

- (1) The separate statements for Scheme (erstwhile Plan) as Residential, Non-Scheme (erstwhile Non-Plan) Residential, Scheme (erstwhile Plan) non-Residential and Non- Scheme (erstwhile Non-Plan) Non-Residential works are to be prepared under respective Major Heads and Schemes, and the works being grouped Project Region/Region/zone-wise for each category under the MoHUA Demand.
- (2) The new works proposals, after complying with the above requirements, should be sent by the concerned Chief Engineer/Budgetary Head to the Director (Fin), CPWD O/o Director General, CPWD by 31st August, every year.
- (3) The Director (Finance), CPWD will scrutinize the proposals and forward his findings through ADG (Works)/DG or as notified by CPWD Directorate to the MoHUA by 30th September, of every year.

2.15 Works in Progress/ Work Annexure to be annexed with Detailed Demand for Grants (DDG/ Pink Book)

- (1) The Revised Estimates for current year and Budget Estimates for ensuing year in respect of capital works in progress under Demand for MoHUA are to be prepared under the prescribed format circulated by Budget section, O/o DG, CPWD.
- (2) Separate schedules should be prepared for Residential Scheme, Residential Non- Scheme, Non-Residential Scheme and Non-Residential Non-Scheme works costing more than the prescribed limit. Similar statements may also be prepared for works costing less than the prescribed limit for which lump sum amounts are provided in the schedules. The works may be arranged in the manner as they appear in the Detailed Demand for Grants of the current year. Abstracts of each schedule should then be added.
- (3) The provision for Civil, Electrical and Horticulture portions of works, as the case may be, should be shown together. No new works costing the prescribed limit or more should be taken in hand or included in the proposals for Revised Estimates unless prior and specific approval of the competent authority is available. Instructions given in preparation of RE/BE are to be followed as given from time to time.

2.16 Scheme Works

- (1) The demands should be confined to those works only which have received administrative approval in cases where such approval is required.
- (2) For "Minor Works" and "Maintenance and Repairs" chargeable to the Major head "2059 Public Works" and "2216 Housing-Government Residential Buildings", demands should be provided justifying the total demand for each work/sub-head. Such demands should be based on realistic assessment of the expenditure likely to be incurred during the current financial year.
- (3) In cases where such lump sum provisions are made for Scheme or Non-Schemes, detailed justification should be given in support of the demands made.

2.17 Demands for Establishment

- (1) The estimates of the funds required under the Head “Salaries” in the Budget will be framed on the basis of trends over the preceding 3 years, considering other relevant factors, like changes in rates of pay, allowances, number of posts and their filling and the economy instructions issued by the Ministry of Finance from time to time
- (2) The Heads of Departments are to furnish the details of posts included in these estimates in order to furnish the statement showing the “Estimated strength of establishment” and provisions thereof to be appended to the detailed Demands for Grants. Refer **SOP 2/1**.
- (3) Provisions for posts lying vacant, deputation, etc should be considered for making realistic demand provision in the Budget Estimates.
- (4) The demand under “Establishment” is shown in all cases under Sub-heads (1) Salary, which includes (a) Salary of Officers, (b) Salary of Staff (2) Allowances (Other than Travelling allowances) (3) Wages (4) Travelling Allowances.

2.18 Revenue Estimates

- (1) The CPWD being an expenditure department does not deal with the revenue portion of the budget, except in respect of miscellaneous receipts occurring in discharge of the departmental functions under the Heads of Accounts “059 Public Works” and “0216 Housing”. The receipts generally comprise of rents of land and buildings, license fee, sale of tender forms and sale of produce etc. from compounds of premises or the premises where such produce is Government property, supervision charges on sales of stock, profits on revaluation of stores, unclaimed balances under “Purchases”, recovery of departmental charges, lapsed deposits and fines, confiscated/forfeited deposits of works other than the deposit works (which do not represent compensation for damage to works-in-progress). This is required to be submitted as per CPWD Accounts Code by 30th November every year to the Chief Controller of Accounts of MoHUA.
- (2) Estimates of rent recoveries adjustable under Major head “0216” in respect of Government accommodation, will be furnished by the Chief Controller of Accounts, MoHUA, except where a Department has separate pool of accommodation (e.g. Delhi and other Union Territories, Indian Meteorological Department and the Central Board of Direct Taxes and Central Board of Indirect Taxes and Customs etc.) of which rent receipts, although adjustable under the Major head 0216, are not passed on to the Director of Estates, MoHUA. Apart from the Chief Controller of Accounts, MoHUA, only the Accounts Officers of Departments maintaining such separate pool of accommodation should furnish estimates of “License fee” receipts direct to the Budget Division alongwith the estimates of other Revenue receipts.

2.19 External Assistance in the Shape of Materials, Equipments and Other Commodities

Such assistance received from foreign Governments without involving any cash inflow or outflow, Account and Budget provisions will be as given below.

The procedure for such assistance can be of different type and for each case matter may be referred to the office of DG CPWD/ Director (Finance) for suggesting the suitable accounting and payment system based on consultation with IFD, MoHUA and Ministry of Finance.

2.20 Savings, Excesses and Supplementary Demands

2.20.1 Surrender of Savings

During the course of the financial year, it may be found that the expenditure under some of the sub-heads is likely to be less than the provisions in the budget owing to one or more of the following reasons:

- (i) Actual postponement of expenditure.
- (ii) Normal savings due to economy.
- (iii) Normal savings due to original over estimating or administrative causes
 - (a) All anticipated savings noticed in a grant or allotment has to be surrendered sufficiently in advance before the close of the financial year. The surrenders should be made immediately as soon as the savings are foreseen without waiting till the end of the year, unless these are required to meet increased demand under some other Head(s), which can definitely be foreseen at that time.
 - (b) No savings are to be held in reserve for meeting possible excesses in future.
 - (c) Budget Division, Ministry of Finance has issued instructions on the need for the individual Ministry/Department to put in place effective mechanism for realistically assessing their requirement of funds in a way that would ward off the occurrence of unwarranted surrender of savings at a later date. In this regard, Rule 62 of GFR 2017 may be referred.

2.20.2 Supplementary Demands

Expenditure for which no provision has been made in the original Budget Estimates for the current year cannot normally be incurred. If either owing to (i) an unforeseen emergency, or (ii) under-estimating or insufficient allowance for factors leading to the increase in expenditure, excess expenditure on a particular item of the budget estimate is inevitable, action may be taken for submission of an application for allotment of additional funds by re-appropriation or supplementary grant, where it is not possible to get funds by re-appropriation.

If the amount authorized through appropriations for a particular service is found to be insufficient for the purposes of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year, a supplementary demands for grants proposal shall be made before Parliament. However, if any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year, demand for such excess, as the case may be is to be laid before both the Houses of Parliament for authorizing (subject to the report of the Public Accounts Committee) the expenditure incurred in excess.

2.20.3 Supplementary Grant

As per Rule 66 of GFR, if savings are not available within the Grant to which the payment is required to be debited, or if the expenditure is on "New Service" or "New Instrument of Service" not provided in the budget, necessary Supplementary Grant or Appropriation in accordance with Article 115 (1) of the Constitution should be obtained before payment is authorized. Instructions issued from the Budget Section of CPWD/ MoHUA from time to time are to be followed in this regard.

2.20.4 Annexure to the Supplementary Demands

As recommended by the Public Accounts Committee, any order for re-appropriation, issued during a financial year, which has the effect of increasing the budget provision under a sub-head or standard object head by more than the limit specified in Budget Division's OM or as mentioned in the Delegation of Financial Power Rules, is required to be reported to Parliament along with the final batch of the Supplementary Demands for Grants.

2.21 Appropriation Account

- (1) Appropriation Account relating to the expenditure brought into account during a financial year is required to be submitted to the Parliament. The Appropriation Account, thus, compares the total grants (original, supplementary, etc.) made by the Parliament for any particular purpose with the actual expenditure incurred by Government on that purpose. While making such comparison, explanations should be given in the Appropriation Account for the variations between the final grant and the actual expenditure under each sub-head, whether excesses or savings.
- (2) The sub-heads in respect of which reason for variations both for savings and excesses are required to be included are as follows:
 - (a) If the variation in a sub-head exceeds the prescribed limit - All variations, both savings and excesses, irrespective of the percentage which the variation bears to the sanctioned provision (original, or supplementary, or both taken together).
 - (b) If the variation in a sub-head does not exceed the prescribed limit.
 - (i) **Where the variation is in excess**
All cases in which the excess exceeds 10% of the total sanctioned provision or as prescribed, whichever is higher - The total sanctioned provision in this clause means the original provision (if there is no supplementary provision), supplementary provision (if there is no original provision), and original and supplementary provision taken together if they exist.
 - (ii) **Where the variation is a saving**
All cases in which the saving exceeds 10% of the original provision, or as prescribed, whichever is higher, if in that sub-head there is no supplementary provision in a sub-head either with or without any original provision - All cases, in which the saving exceeds 10% of the supplementary provision will be included.
 - (c) If the grant/appropriation as a whole has been exceeded (i.e. where excess has occurred in any of the four segments, viz. voted revenue, voted capital, charged revenue and charged capital) - Only such sub-heads as involve an excess of over the prescribed amount may be picked up. If, however, there is no individual subhead involving an excess of over such prescribed amount, sub-heads which mainly account for the overall excess may be included. However, the criteria laid down in (a) and (b) (ii) will also be followed.

2.22 Re-appropriation

- (1) A transfer of fund from one primary unit of appropriation to another such unit may become necessary. Such a transfer is termed "re-appropriation", and can be sanctioned only by the competent authority prescribed under DFPR and Orders of Ministry of Finance from time to time..

- (2) Transfer of funds within one primary unit of appropriation under the same grant and involving two or more Zones does not amount to re-appropriation, and does not, therefore, attract the provisions of Rule 10 of the Delegation of Financial Powers Rules, because Appropriation Accounts are prepared on the basis of the total grant under a particular primary unit of appropriation in all the CPWD Zones.
- (3) Rule 65 of GFR 2017 regarding provisions relating to the Re-appropriation of Funds, relevant rules under DFPR are given in **SOP 2/4**.

2.22.1 Restrictions on Appropriations/Re-appropriations

All Re-appropriation shall be done as per GFR 2017/ DFPR provisions and according to orders issued by MoF from time to time.

2.23 Allotment of Funds

- (1) After the budget grants are approved by the Parliament, the Ministry allocates the sanctioned funds to the DG, CPWD. Director Finance, CPWD who functions as IFD of CPWD distributes the allocated funds with the approval of competent authority among the concerned Heads of Departments/Other Budget Controlling authorities in the field or to any subordinate offices, as approved by the competent authority based on priority, urgency and specific need according to their demands and availability of funds. The distribution of budget by the Head of Department/ subordinate offices shall be informed to the Director (Finance) of CPWD and Pay & Accounts Officers for check against allocations.
- (2) While preparing detailed statement showing the distribution of the funds, the following points should receive the attention of the budget authorities:
 - (i) The statement should show the distribution of the final allotments by the budget controlling officers in consultation with respective finance officers of the Zones/ Divisions which are primary units of appropriation to cover a number of individual items or works. It should also contain an abstract of the charges by the prescribed subheads.
 - (ii) Specific allotment should be made for each individual major work.
 - (iii) Provision for Voted and Charged items should be shown separately.
 - (iv) The amounts and details of the allotment/ ceilings intimated by the Ministry should be strictly adhered to and on no account altered/ breached.
- (3) The distribution statement, when issued, should be regarded as the authorised program of expenditure. Any change required therein during the course of the year should be dealt with under the Rules of Re-appropriation.

2.24 Review of Budget Allocations

- (1) All budget controlling and monitoring officers should review every month the progress of expenditure vis-a-vis physical progress against the funds placed at their disposal from time to time. Physical as well as financial progress is important to be regularly monitored. Additional demand or anticipated savings, if any, should be intimated to the Director (Finance) of CPWD immediately. These statements should include all items and prepared separately for voted and charged expenditure.

- (2) To ensure effective control of the expenditure against the appropriations made vis-a-vis physical progress in the prescribed Proforma issued, a quarterly review of the expenditure is conducted until the end of September and thereafter every month till the month of February hence excess/savings must be reported to Director (Finance) of CPWD from time to time.
- (3) Where the progress of expenditure is not even and upto the required standards, timely action should be taken by the CE/SE/Budget controlling authorities/ Director (Finance) of CPWD to accelerate the expenditure by the expenditure incurring units. According to the guidelines issued by the MoF, last Quarter expenditures should not exceed 33% of BE and 15% in the month of March of the financial year. Rush of expenditure in any month should be avoided following guidelines of the MoF. FOs/SEs shall also watch the pace of expenditure vis-a-vis physical progress of the works in their respective zones/circles. Director (Finance) of CPWD should take corrective actions in view of imbalanced pace of expenditure and availability of funds in form of budget reduction/ adjustment among zones/budget controlling units. The units will not try to incur expenditure due to surplus funds at their disposal, merely to avoid the lapses without following prescribed procedure and formalities.

2.25 Reconciliation of Accounts

- (1) The Budget controlling authorities and concerned DDO/ Divisional Officer/AAO of divisions are jointly responsible for the reconciliation of the figures given in the accounts maintained by the Head of the Department with those appearing in the Pay and Accounts Office's (here in after called PAO) Accounts Officer's books. Concerned ADG/SDG's will oversee the overall functioning of Accounting and Financial matters with help of senior most Account & Finance officer available at their office and ensure that all divisions are performing their function under stipulated time and the reconciliation should be made monthly, the initial responsibility resting with the Accounts Officer. The detailed procedure for reconciliation of expenditure incurred by Drawing and Disbursing Officers (DDO's), including cheque drawing DDO's (Divisional Officers), and appearing in the books of the Pay and Accounts Officers has been prescribed under CPWD Accounts Code and GFR 2017.
- (2) The Chief Engineers/ Director General as Heads of Department would maintain consolidated Zone-wise and grant wise records, i.e. Major Head, Minor Head, Sub- Head-wise expenditure in Form no. GFR 12.

2.26 Regularization of Excess

2.26.1 Avoiding excess

- (1) Excess over voted grants and appropriations and surrenders reflect on the effectiveness of control over expenditure.
- (2) In cases where the schemes are not fully worked out at the budget stage, and a realistic estimate of the likely expenditure during the year is not found possible, provision for preliminary expenses and immediate requirements need only be included in the budget as far as possible, subject to review later on during the financial year on the basis of progress made in the planning of and sanction of the schemes.
- (3) Apart from the realistic estimation of the budget, adequate steps should be taken for effective control over the progress of expenditure against the sanctioned grants, including expenditure on account of book adjustments and payments for procurement of stores, supplies and services.

2.26.2 Sanctions to Regularize Excesses

- (1) A statement in Form no. 8 should be prepared annually for submission to the Ministry by the end of December every year to show the causes of excesses and savings under different sub-heads, alongwith reasons why steps were not taken in time to surrender the savings, or to obtain necessary funds to cover the excesses before the end of the financial year however excesses are not permissible in normal circumstances. Separate statements should be prepared for each grant.
- (2) If the grant has been exceeded, sanction should be obtained to the excess from the Ministry of Finance in case of non-voted expenditure, or from the Parliament in the case of voted expenditure.
- (3) As voted and charged portions, and as also the revenue and capital sections of a grant/appropriation are distinct, and re-appropriation inter-se is not permissible, an excess in any one portion or section is treated as an excess in the grant/appropriation.
- (4) Excess in the demands as a whole requires regularization by the Public Accounts Committee, which generally takes a serious view of such excess, and insists upon satisfactory explanations from the Department concerned.
- (5) Similarly, savings and surrenders should also be avoided. The Public Accounts Committee takes serious view of the same as in the case of excess. Large savings are indicative of loose budgeting in the sense that these prove the inability of the Department to spend usefully the funds to the extent anticipated.

2.27 Departmentalization of Accounts- AGs/ CAGs Inspection and Internal Audit by O/o CCA, MoHUA

2.27.1 General

- (1) Under the scheme of Departmentalization of Accounts, the Chief Accounting Authority (Secretary) shall be responsible for preparation of Monthly and Annual Accounts inter alia Chief Controller of Accounts, MoHUA prepares annual Appropriation Accounts for the Demands for Grants of the Ministry/Department, get it duly audited and submit it to the Controller General of Accounts (CGA), Ministry of Finance duly signed by the Chief Accounting Authority i.e. Secretary MoHUA.
- (2) The CGA prepares annual accounts including summary civil Appropriation Accounts, showing under the respective heads, the annual receipts and disbursements for the purpose of Union Government.
- (3) The Divisional officers and higher officers should furnish the explanations as promptly as possible, and ensure that these are concise, accurate and fully informative. The explanations should indicate with sufficient clarity whether a variation or financial irregularity could not have been foreseen.
- (4) While submitting the Appropriation Accounts, the Divisional officers should take into consideration the facts that the Public Accounts Committee, while scrutinizing the Accounts, has to satisfy itself that:
 - (i) The amount shown in the accounts as having been disbursed were legally available for, and applicable to the services or purpose to which they have been applied or charged;

- (ii) The expenditure conforms to the authority which governs it; and
- (iii) Every re-appropriation has been made in accordance with the provisions made in this behalf under Rules framed by the Competent Authority.

The responsibilities of compilations of accounts, procedures regarding account compilation and consolidation of accounts, various audit inspection authorities, settlement of audit objections, guidelines for internal audit of the departmental organizations issued by CCA, internal audit, checks to be exercised by internal audit, frequency of audit etc. are given in **SOP 2/5**.

2.27.2 CCA/CAG Audit

Internal Audit of the Divisions and Offices is being conducted by CCA office, similarly the External Audit of the Divisions and Offices is being conducted by CAG Office. The reply of these audit paras is directly submitted by the Divisions/Offices to the CCA/CAG office. CPWD Directorate mainly deals with the disposal of Draft CAG/PAC paras. CPWD Directorate coordinates between CCA/CAG office and CPWD Project Regions/Regions for compliance of the Audit Paras.

2.27.2.1 Audit Committees for monitoring and reviewing the status of Audit Paras and their replies/compliance at different stages have been formed in CPWD, as given below or as notified by Directorate. The constitution of these committees is as below:-

- Central Audit Committee - DG, CPWD (Chairman)
- Regional Audit Committee - SDG/ADG of the Project Region/ Region, CPWD (Chairman)
- Zonal/Circle Audit Committee - CE/SE of the Zone/Circle, CPWD (Chairman)

The Central Audit Committee meeting shall be held half yearly. The Regional Audit Committee shall meet quarterly and the Zonal/Circle Audit committee shall meet monthly. The report should be submitted in the format given below:

Internal Audit Paras					C&AG Audit Paras				
Outstanding at beginning of quarter	Paras added during the quarter	Paras settled during the quarter	Outstanding at the end of quarter	Reply sent	Outstanding at beginning of quarter	Paras added during the quarter	Paras settled during the quarter	Outstanding at the end of quarter	Reply sent

2.28 Public Accounts Committee (PAC) of the Parliament

The PAC is a miniature Parliament having the representatives of Lok Sabha and Rajya Sabha. The action to be taken by CPWD officers to present the cases to PAC is given in **SOP 2/6**. The Secretary to the Government of India in the Department concerned represents the Government in the meetings of the PAC. The Head of the Department i.e. Director General (CPWD) and the SDG/ADG/CE assist the Secretary with information whenever considered necessary.

PART II

CONSTRUCTION WORKS

CHAPTER 3

GENERAL PROVISIONS

3.0 Classification of Construction Works

Construction works are those which are taken up as all new constructions, rehabilitation and seismic retrofitting works, the expenditure of which is charged to capital heads.

3.1 Pre-construction Activities

The pre-construction activities generally involved in execution of a construction work are given in **Annexure - 3** of SOP document. Coordination of all pre-construction activities will be done by the T/S Authority.

3.1.1 Normal Works

3.1.1.1 Preparation of Preliminary Estimate (PE)/Enabling Estimate/Rough Cost Estimate

- (1) As soon as the requisition from the client department is received, preliminary estimate/enabling estimate/rough cost estimate as applicable and as per requirement, shall be prepared and submitted to the client department for obtaining A/A & E/S.
- (2) Wherever required, an MoU as per **Annexure - 4** of SOP document shall be signed with the client. The magnitude of works for which MoU is to be signed with the client shall be notified by the CPWD Directorate from time to time. In cases where no MoU is drawn, necessary provisions of MoU must be clearly mentioned in the preliminary estimate. ADG/SDG/any other authority designated by CPWD Directorate may approve suitable modifications in the MoU as per the site conditions and project requirements by following GFR provisions and other rules issued from time to time.
- (3) Process regarding handling client requisition, team formation, preparation of enabling estimate and preliminary estimate is given in **SOP 3/1**.
- (4) Specific guidelines on preparation of preliminary estimate are given in **SOP 3/2**. In case, enabling estimate or rough cost estimate is submitted, the same shall be followed by preliminary estimate for obtaining A/A & E/S of the work.

3.1.1.2 Detailed Project Report / Detailed Estimate

DPR may be prepared for obtaining A/A & E/S, if required by the client. On receipt of A/A & E/S, Detailed estimate for the work is to be prepared after ensuring that encumbrance free site is available, or likely to be made available within reasonable time from the client if the client insists for invitation of tenders. Guidelines on preparation of DE are given in **SOP 3/3**.

3.1.1.3 Provision for Contingencies and its Utilization

- (1) Provision of contingencies for unforeseen expenditure contingent to the project shall be kept in the Estimate.
- (2) The T/S Authority after obtaining approval from client shall have full powers, upto their tender acceptance limits, to execute smaller works likely to crop up during the execution of work /project for which no provision exists in the sanctioned estimates, subject to availability of funds under sub head "Contingencies" in the sanctioned project estimate.
- (3) The contingencies can be utilized for construction of site office, engagement of watch & ward staff, job works like surveying, material testing, estimating, structural designing, architectural drawings, models, maintenance and hiring of inspection vehicle and any other field requirements directly related to work. Further guidelines on contingencies & its utilization are given in **SOP 3/4**.

3.1.1.4 Provision for Departmental Charges (DC)

- (1) No departmental charges are to be levied for Government Works. For the works of Private Organizations departmental charges are to be levied as per the rates given in **Annexure -5** of SOP document. CPWD Officers have powers of reducing of DC upto a certain percentage given in "Financial Powers Delegated to CPWD Officers". They can decide final rates within their competence for which no formal request will be required from the client.
- (2) For the works of local bodies and PSUs etc., departmental charges are to be levied as per rates given below:-

Description	All maintenance works and minor works (%)	Construction works costing Rs. 100 crore or more (%)	Construction works costing below Rs. 100 crore (%)
1	2	3	4
DC	10.0	4.0	5.50

Note:

- I. No reduction in DC is allowed for the works of local bodies and PSUs etc.
- II. Cost of work means preliminary estimate amount.
- (3) In case of the GOI organizations who entrust their works regularly to the CPWD, no DC shall be charged if the project has not taken off even after preparation of plans and estimates.
- (4) For deposit works Engineer-in- Charge shall take a certificate from client department regarding funding of organization i.e. whether it is fully funded/ partially funded by Central govt./ State Govt., funded by private organizations, Local Bodies, PSUs, autonomous bodies etc. Applicable DC shall be included in the PE.

(OM No.DG/Manual 2022/01 dated 01.08.2022)

3.1.1.5 Accord of Administrative Approval and Expenditure Sanction (A/A & E/S)

The competent authority of the Administrative Ministry/Department/Client shall accord A/A & E/S on the basis of Preliminary estimate/DPR as the case may be.

(Note: For works undertaken under MoHUA budgetary head, A/A & E/S shall be accorded by the competent authority as per powers given in “Financial Powers Delegated to CPWD Officers”).

3.1.1.6 Accord of Technical Sanction

- (1) The technical sanction for the works in which percentage rate tenders or item rate tenders are invited shall be issued before inviting tenders and shall consist of the following;
 - (i) Technical Sanction Memo
 - (ii) A/A & E/S Memo/Order
 - (iii) Detailed Estimate, Detailed Architectural drawings and specifications
 - (iv) Geotechnical Investigation Report
 - (v) Structural drawings for the foundation and preliminary structural drawings of the superstructure to calculate quantities of the items.
 - (vi) Preliminary drawings for Internal and External services.
- (2) In case of work for which tenders are to be invited on “Design and Construct”/EPC contract basis, Technical Sanction required as per C.P.W. Departmental Code is not applicable as the contractor takes full responsibility for design and execution. The scope, description of work, specifications, approved conceptual drawings for engineering and architectural planning, and schedule of quantities (if available) and as provided in the contract document, is to be kept on record.
- (3) The powers delegated to Officers of CPWD for accord of Technical Sanction are given in “Financial Powers Delegated to CPWD Officers”. The powers are exclusive of departmental charges. For guidelines on according Technical Sanction, refer **SOP 3/5**.
- (4) Revised T/S is required to be issued only on deviation in scope of work due to structural requirements.

3.1.1.7 Exemption of Government Buildings from Operation of Municipal Bye Laws to Regulate their Erection

- (1) Section 3 of “Government Buildings Act 1899” provides for exemption of Government buildings from the regulation of the municipal bye laws and hence there is no need of approval of Architectural drawings from local bodies in respect of construction of Govt. Buildings. However, the Engineer in charge shall give notice to the local bodies as per provision to Section 3 of the Act before erection of a building. In this connection, erstwhile MoUD's Note no. 28012/43/2014-W-3 dated 04/05/2016 conveyed vide OM DG/P&WA/91 dt. 18/5/2016 and MoHUA OM No 28012/43/2014-W-2 dated 28/01/2019, may be referred. A website www.ppams.cpwd.gov.in has been launched for "Project Processing, Approval and Management System" for all projects handled by CPWD. In this connection, OM No 73/DDG(E-Gov)/2018/147 dated 26/12/2018 uploaded on www.cpwd.gov.in and subsequent directions issued from time to time in this regard are to be followed.
- (2) Wherever the above provisions are not applicable or are required as per local bye laws, drawings will be prepared by the Architectural Unit/Consultant as the case may be and approvals shall be taken from the respective local bodies.

3.1.1.8 Packages for Accord of Technical Sanction

It is upto the T/S Authority to combine various sanctions for the same work and issue a single Technical Sanction provided total of all sanctions for the same work fall under his/ her competence. Similarly the competent T/S authority may, with recorded reasons, split any sanction falling within his/ her competence keeping in view the requirements of the work. For each such package of a single sanction, Technical Sanction will be accorded by the same officer competent to accord T/S to the entire sanction.

3.1.1.9 Schedule of Rates (SOR) and Cost Index

- (i) The Schedule of Rates for Delhi is issued by DG, CPWD. SDGs may issue SOR for their coordination jurisdiction. (Added vide OM no. DG/Manual 2022/02 dated 19.09.2022)
- (ii) The SORs are ordinarily revised once in two years.
- (iii) To update the SOR, the nomenclature with specifications, market rate list, and analysis of rates are to be periodically revised.
- (iv) The cost index for Delhi shall be issued by CE(CSQ)civil. The cost index for other places shall be issued by ADG/SDG on the basis of details received from the CE or SE concerned (as the case may be). The cost index shall be issued as on 1st April and 1st October every year. (Added vide OM no. DG/Manual 2022/02 dated 19.09.2022)

3.1.2 Deposit Works

The Pre-construction activities in the case of Deposit works are similar to activities under Normal works with the following important provisions.

3.1.2.1 Preliminaries for Deposit Works

- (1) Officers of CPWD shall have full powers to undertake deposit works upto their delegated powers to accord T/S given in "Financial Powers Delegated to CPWD Officers" for works fully funded by Central and/or State Govt., including those for PSUs, Government funded Institutions etc.
- (2) Before acceptance of any deposit, the competent officer shall send the preliminary estimate to the client department.
- (3) The norms regarding plinth areas and specifications adopted will be as approved by the client department.
- (4) The scope of work shall not be altered either during preparation of Detailed Estimate or execution, without written permission of the client.
- (5) MOU as per **Annexure-4** of SOP document shall be drawn with the client before taking up the work. ADG/SDG or any other authority designated by CPWD Directorate may approve modifications in the MOU as per the site conditions and project requirements by following GFR provisions and other rules issued from time to time.
- (6) For multiple small works under one client, a combined MOU can be signed as per the requirement.
- (7) Estimates of fees of Private Architect/ Consultant are to be added in the estimate only if the estimate for deposit works does not include DC or not included in DC.

- (8) If specific provision is not available in the sanctioned estimate, then separate enabling estimate is to be submitted to the client for fees of Architect/Consultant.
- (9) Details for Execution, realization of deposits and settlement of accounts of Deposit works are given in **SOP 3/6**.

3.1.3 Specialized Works

The pre-construction activities in the case of specialized works are similar to activities under Normal works with the following important provisions.

- (1) Tenders for all Specialized Works shall be invited in Two/Three Bid system from specialized agencies, CPWD & Non CPWD contractors, subject to fulfilling of eligibility criteria by them.
- (2) The list of specialized Civil, E&M, Horticulture and concurrent works are given in **Annexure -6** of SOP document.
- (3) ADG/SDG or any other authority designated from time to time by CPWD Directorate shall have powers to declare any other work as specialized in respect of their regions, after giving due consideration to the nature of work and the specialized skill required for its execution. The declared specialized work should be uploaded on CPWD website.
- (4) It is desirable that all the Preliminary Estimates of specialized E&M Systems including Lifts and HVAC, DG Sets, Automatic Fire Alarm System, Sub-Station, Wet Riser & Sprinkler System should have 5 year's provision for maintenance/comprehensive maintenance and Operation for budgeted works of MoHUA. For works of other Ministries and Deposit works, the estimates shall include distinct components of Construction and Maintenance/Operation, if desired by the client.
- (5) Wherever there is a corresponding provision as above in the A/A & E/S of the project/work, the same shall be included in the detailed estimate and NIT of the work keeping Guarantee/ Warranty period provisions in consideration.
- (6) The completion of construction work shall be recorded on its completion and main agreement closed. Supplementary agreement will be drawn for maintenance/operation keeping necessary contract and accounting provisions.

3.1.4 Excess Over Administrative Approval & Expenditure Sanction

- (1) For Deposit works and works on letter of authorization, revised estimate will be submitted for the works having expenditure in excess of 10% of A/A & E/S amount.
- (2) No excess expenditure over the A/A & E/S amount is permissible without approval of client and therefore before incurring the excess expenditure the client will be informed and approval taken for the same. A revised preliminary estimate will be submitted to client well in time during the execution of work.
- (3) In case of MoHUA budgetary works, expenditure in excess up to 10% of the amount of the A/A & E/S may be authorized by officers of the CPWD, provided that the total amount of expenditure including the excess is within the powers of the officer to accord technical sanction.

CHAPTER 4

MODES OF BIDDING SYSTEM

4.0 Award of Work without Call of Tenders

4.1 Procedure

- (1) The work awarded after call of quotations shall be construed to have been awarded without call of tenders.
- (2) Normally tenders should be called for all works. However, in case the work is to be awarded expeditiously, the prescribed period of notice may be reduced by NIT approving authority.
- (3) The precise reasons should be recorded by the Engineer-in-Charge before dispensing with call of tenders.
- (4) In respect of works of inescapable nature, method will be followed as prescribed in Para 1.5 of Chapter 1. The quotation approving authority may decide the publicity period, except in case of spot quotations, subject to minimum period of two working days.

4.2 Award of works to Registered Labour Co-operative Societies

- (1) Works costing upto the limit fixed from time to time can be awarded to registered labour Co-operative Societies at current market rates without call of tenders as per financial powers delegated. EMD is exempted for works with estimated cost upto Rs 3 lakhs. However, Security Deposit shall be deducted as prescribed by way of deduction from their bills.
- (2) Monthly running payments may be made if value of work executed is more than Rs. 50,000/-. Such works awarded to Registered Labour Co-operative Societies shall not be counted towards the annual ceiling for issue of work orders.

4.3 Award of work to Contractors belonging to Scheduled Castes and Scheduled Tribes

- 4.3.1 For works upto an estimated cost of Rs. 2.50 lakh, a price preference upto 5% (with reference to the lowest valid price bid) may be allowed in favour of individual SC/ST contractor. In such cases tender may be entertained even from non-registered contractors. No earnest money is required in such cases.
- 4.3.2 For works beyond an estimated cost of Rs. 2.50 lakh and upto Rs. 5.75 lakh, tenders may be obtained only from registered contractors. The price preference upto 5 % (with reference to the lowest valid price bid) may be allowed in favour of individual SC/ST contractor. However, earnest money at a reduced rate of ½% may be accepted in such cases.
- 4.3.3 In all such cases, the above concession shall be allowed only after proper verification of the individual contractor's claim of belonging to SC or ST community, as the case may be.

These concessions will be admissible upto 31.12.2023. The guidelines regarding "Operation of Price Preference to Contractor belonging to SC/ST for Award of Contract" are as under:

Guidelines regarding “Operation of Price Preference to Contractor belonging to SC/ST for Award of Contract”.

Example 1

Assuming Estimated Cost put to tender (ECPT)	=	Rs. 100/-	‘A’
Assuming % age quoted by the lowest valid tenderer of General Category	=	10% above the ECPT	
Therefore, quoted amount by the lowest valid tenderer	=	Rs. 110/-	‘B’
Price Preference allowed to individual SC/ST contractor is 5% i.e. 5% of ‘B’ = Rs. 5.50	=	Rs. 5.50	
Total	=	Rs. 110 + Rs. 5.50 Rs. 115.50	

Hence, if an individual contractor belonging to SC/ST category quotes his rates between 10% above to 15.50% above and General Category lowest valid tenderer has quoted his rates at 10% above the ECPT, then the work shall be awarded to the contractor belonging to SC/ST category at his quoted rates. This is however, subject to provisions of CWPD Works Manual 2022 Para 5.1.6 i.e. Justification of Rates.

Example 2

Assuming Estimated Cost put to tender (ECPT)	=	Rs. 100/-	‘A’
Assuming % age quoted by the lowest valid tenderer of General Category	=	10% below the ECPT	
Therefore, quoted amount by the lowest valid tenderer	=	Rs. 90/-	‘B’
Price Preference allowed to individual SC/ST contractor is 5% i.e. 5% of ‘B’ = Rs. 4.50	=	Rs. 4.50	
Total	=	Rs. 90 + Rs. 4.50 Rs. 94.50	

Hence, if an individual contractor belonging to SC/ST category quotes his rates between 5.50% below to 10% below and General Category lowest valid tenderer has quoted his rates at 10% below the ECPT, then the work shall be awarded to the contractor belonging to SC/ST category at his quoted rates. This is however subject to provisions of Para 5.1.6, i.e. Justification of Rates.

4.4 E-Tendering

- (1) As per Rule 159 and 160 of GFR 2017, it is mandatory to e- publish all Tender enquiries, Requests for Proposals, Requests for Expressions of Interest, notice for pre-qualification/ registration or any other notice inviting bids or proposals in any form, corrigenda thereon and details of bid awards on the Central Public Procurement Portal (CPPP) as well as website of the Department and to receive all bids through e-procurement portals in respect of all

procurements respectively. However, individual cases, where confidentiality is required for reasons of national security, such provision would be exempted. The decision to exempt any case on the said grounds should be approved by the Secretary of the Ministry/Department with the concurrence of the concerned Financial Advisor.

- (2) All the tenders/quotations are to be published on CPWD portal which is linked to CPP portal. The URL address of the service provider for hosting the e-Tendering platform for CPWD shall be as per instructions from time to time. Presently, the e-Tendering platform for CPWD has been hosted by the service provider with URL address <https://etender.cpwd.gov.in>. The tender will be hosted on <https://etender.cpwd.gov.in> as per instructions time to time. The link of the service provider is available on CPWD web site.

The details regarding procurement of digital signature, procedures and instructions to Engineer-in-Charge for inviting and uploading of bids including 2/3 envelopes bids, bids for the Specialized works, specimen press notice, Specimen CPWD 6 for e-tendering, downloading of bids submitted by contractors, opening and processing of bids, preparation of comparative statements and General guidelines on e-tenders etc. are given in **SOP 4/1**.

4.5 Types of Call of Tenders

4.5.1 Restricted Tenders

Restricted tenders of any value can be called with the prior approval of the competent authority as per delegation of financial powers, with recorded reasons. Tenders invited from CPWD registered contractors or through Two/Three Bid system shall not constitute to be restricted tenders. Works falling in the category of restricted tenders and procedure for preparation of restricted list of contractor is given in **SOP 4/2**.

4.5.2 Composite Tenders

- (1) System of composite tendering shall be followed for all kind of building and road works (irrespective of cost). Apart from civil work and horticulture work, the composite tender should also include component of internal electric installations and other internal & external electrical works including services.
- (2) If requirements of the work so demand, the T/S Authority may dispense with the system of composite tendering with recorded reasons. Guidelines on composite tendering are given in **SOP 4/3**.

4.5.3 Tenders with Two/Three Bid System

(1) Two Bid System

Tenders are called in two Bids in which Bid - 1 is Technical cum eligibility Bid and Bid - 2 is Financial bid.

(2) Three Bid System

Generally, works for which technical specifications have not been finalized and the same are to be finalized on receipt of the details from the bidders are called on three bid system. The bidders shall be required to submit three bids as given below;

Bid - 1: Eligibility bid

Bid - 2: Technical specifications

Bid - 3: Financial bid.

- (3) Normally, technical and financial bids are called simultaneously, however, in case of exigencies, only technical bids can be called first with the approval of ADG/SDG or any other authority designated by CPWD Directorate.

Procedure for opening of Two/Three Bid tenders is given in **SOP 4/4**.

4.5.4 Global Tender Enquiry (GTE)

Instructions have been issued by Ministry of Finance vide OM no. F.12/17/2019-PPD dated 15.05.2020 regarding amendment in rule 161(iv) of General Financial Rules (GFRs) 2017 stipulating that no Global Tender Enquiry (GTE) shall be invited for tenders upto Rs. 200 cr. or such limit as may be prescribed by the Ministry of Finance from time to time. Provided that for tenders below such limit, in exceptional cases, where the Ministry of the Department feels that there are special reasons for GTE, it may record its detailed justification and seek prior approval for relaxation to the above rule from the competent authority i.e. Secretary (Coordination), Cabinet Secretariat. Revised consolidated instructions issued by Ministry of Finance vide OM no. F.4/1/2021-PPD Dated 03.08.2021 or amended instructions issued from time to time in this regard by the Ministry of Finance shall be followed.

4.6 Pre-bid conference

Before submission of tenders, there shall be a pre-bid conference to clarify the doubts of the contractors, besides discussions on any additional suggestion proposed by the contractors. If found necessary, a corrigendum to the tender documents would be issued and would be put up on e-tendering portal for information of all contractors and thereafter no further query/condition shall be entertained. There would be no bar to hold the pre-bid conference more than once, especially in complex types of works. The NIT approving authority shall decide the time gap between pre-bid conference and last date of submission of technical bid based on the importance and complexity of work to avoid extension in the last date of submission of tender.

4.7 Manual Tendering

In exceptional cases with recorded reasons when manual tendering is resorted to due to work requirement instead of e-tendering platform, then in such cases, the general procedure of receipt, opening, dealing with corrections, omissions etc and acceptance of manual tenders is given in **SOP 4/5**.

4.8 EPC (Engineering, Procurement and Construction) Contracts

The NITI AAYOG vide OM No. N-14070/14/2016-PPAU dated 5th September, 2016 have communicated the decision taken by Cabinet Committee on Economic Affairs (CCEA) regarding

substituting of item rate contracts by EPC (Turnkey) contracts, wherever appropriate. In pursuance to above, erstwhile MoUD (Works Division) vide its OM No 28012/11/2016-W-3 Dated 29th November 2016 have issued directions which inter-alia include that cutoff value of projects, above which all contracts will be taken up under EPC methodology, will be Rs 100 Cr. This figure will be as decided and notified by the MoHUA/ CPWD from time to time.

Following modes may be adopted in respect of execution of works on EPC mode:-

Mode I: In this case, the Engineering, Procurement and Construction would be fully contracted. However, the conceptual drawings shall be prepared by the CPWD Architects.

Mode II: In this case, the architectural planning would be done by the CPWD Architects/Architects appointed by Clients. The EPC Contractor will carry out Engineering, Procurement and Construction based on the architectural planning by the department.

Mode III: In this case, the architectural designs, drawings and engineering will be done in house by CPWD or the Consultant appointed by Client/CPWD, the work would be executed by EPC Contractor.

As per requirement of the Client, the works on EPC mode in any of the above modes can be taken up for the works costing more than Rs.100 Crore. However, in case Client wants to adopt EPC mode for the works costing less than Rs.100 Crore, the NIT approving authorities are authorized to adopt the same out of any of the modes mentioned above.

Tenders in EPC mode must be in the order of preference as given below:

1. Mode I - Technology Neutral Tender - Preferred Mode
2. Mode II - Technology Neutral Tender - Second in Preference
3. Mode III - Technology Pre-Selected - Third in Preference

Tenders can be invited under mode III only if any of (a), (b), (c) as hereunder is satisfied:

- (a) Client resolves for a particular technology.
- (b) Client has already finalized all drawings (Architectural and Engineering)
- (c) The functional requirement of works/ site requirement so demands.

The pre- selection of technology in mode III under either (a) or (b) or (c) as mentioned above shall be taken up with prior approval of ADG/SDG on case to case basis with due justification.

For executing contract on EPC methodology, the following important provisions are to be considered while framing estimate, preparing NIT etc:

- (1) Enabling estimate can be submitted as per client requirement for carrying out preconstruction activities wherever required for conceptual planning purpose to assess the precise requirement of the scope of work.
- (2) The concerned CA/SA unit or the consultant appointed by the NIT approving authority shall prepare the concept design, preliminary drawings and specifications based on detailed requirements of the work, in consultation with the client before preparation of Preliminary Estimate.

- (3) The tenders based on EPC mode cannot be the model based on item rates and quantities hence the estimated cost for such tenders may be worked out on the basis of CPWD plinth area rates as per norms and the cost suitably modified considering applicable cost index or by adopting any other appropriate method as decided by NIT approving authority. Preliminary drawings and specifications approved by the client shall form part of the NIT.
- (4) Soil investigation report shall be appended in the NIT for indicative purpose only.
- (5) The responsibility of investigations, designing, planning, procurement, construction, safety, quality, and risk of engineering lies with the contractor and the same will be incorporated in the NIT.
- (6) Mode of measurements for payment purpose will be decided by the NIT approving authority.
- (7) The award of work shall be decided on competitive call of tenders. The Chief Engineer/NIT approving authority ascertains the reasonability of prices based on justification prepared using analytical methods such as PAR rates duly enhanced by the current cost index and any other method approved by the NIT approving authority for ascertaining the reasonability of the tendered amount of the L1 bidder.
- (8) In case the tender received is more than A/A & E/S, revised A/A & E/S or in-principle approval from the competent authority shall be necessary.
- (9) General guidelines for EPC contracts with a sample item along with scope of work to be adopted for EPC contracts are given in **SOP 4/6**. As per the OM of NITI Aayog dated 5 September 2016, the model EPC bidding document published by the erstwhile Planning Commission can be modified wherever required, to suit the requirements of the work. NIT approving authority may incorporate special and particular conditions as per specific requirements of the project.

4.9 Special Purpose Vehicle

On the requirements of MoHUA or any other Ministry/Government department, DG, CPWD may take up the works on "Alternate Mode" of funding. For this purpose, a "Special purpose vehicle" (SPV) under Company Act shall be created after obtaining due approval from MoHUA. The SPV shall have the officers and staff from CPWD. The SPV will be governed by CVC and CAG rules and guidelines.

4.10 Preparation of NIT

- (1) All tenders should be invited on behalf of the President of India. It is therefore necessary that the words "For & on behalf of the President of India" should be incorporated in all NITs.
- (2) The estimated cost put to tender in the NIT shall be worked out based on the rates considered in the Technical Sanction.
- (3) Before approval of NIT, the following are required :
 - (i) A/A & E/S except in Emergent Works
 - (ii) Availability of site/land in full or part
 - (iii) Monitoring of statutory clearances

- (iv) Other approvals required before commencement of work in case the same are not part of the NIT.
 - (v) Technical Sanction except in case of “Design and Build”/EPC Contracts & Emergent Works
 - (vi) Funds availability
 - (vii) For original specialized E & M works including lifts, HVAC, DG sets, Fire alarm system, Fire fighting, Wet Riser and Sprinkler system works, the relevant guidelines as given in **SOP 4/7** shall be followed.
 - (viii) Guidelines on preparation of NIT for tenders to be invited on Single Bid System and on Two/Three Bid System are given in **SOP 4/8** and **SOP 4/9** which can be referred.
 - (ix) Preferred make list shall be incorporated in the NIT. ISI marked brands can be approved for incorporation in the preferred make list by CE/SE. CE/ADG/SDG can approve non-ISI brands (Brand name) for their respective jurisdictions.
- (OM No. DG/Manual 2022/04 dated 26.09.2022)

4.10.1 Special Conditions of Cement and Steel

Special conditions shall be incorporated by the NIT approving authority keeping in view the guidelines issued by the Directorate from time to time in this regard which are available on CPWD website.

4.10.2 Testing charges to be borne by contractor

Following provision shall be incorporated by the NIT approving authority in the NIT:

All expenditure to be incurred for testing of samples e.g. packaging, sealing, transportation, loading, unloading etc. including testing charges shall be borne by the contractor. The NIT shall have list of approved laboratories for testing as approved by ADG / SDG.

4.11 Invitation of Tenders for Works

- (1) Tenders for works are to be invited only after Technical Sanction (Except EPC contracts) and approval of NIT by the Competent Authority.
- (2) Tenders for works costing up to the maximum Tendering limit of CPWD contractors enlisted in Class – I of Buildings & Roads Category contractors or as instructed from time to time shall be invited in Single Bid system.
- (3) The T/S Authority, in view of the requirements of the work, may also invite tenders up to the maximum Tendering limit of class – I enlisted Buildings & Roads Category CPWD contractors in Two/Three Bid system with recorded reasons after obtaining prior approval from higher authority not below the rank of CE.
- (4) Tenders for works costing more up than the maximum Tendering limit of CPWD contractors enlisted in Class – I Buildings & Roads Category or as instructed from time to time shall be invited in Two/Three Bid System.
- (5) The contractors of Buildings & Roads Category are mainly enlisted for execution of building work, internal and External Electrical Works and E&M services like HVAC, Fire Fighting, Fire Alarm, Sub-station, DG Set and related items. They shall not be eligible for tenders for exclusive work of Horticulture and specialized works.

4.12 Publicity of Tenders

All tenders of any amount shall be invited through e-tendering system. Notices for all the works, irrespective of their value, shall be published on the website <https://etender.cpwd.gov.in> as instructed from time to time. Once published on the website, the tender notices will also become available on www.eprocure.gov.in through system link. Sample notice for inviting tender forming part of NIT and to be posted in website is given in **Annexure 22** with **SOP 4/8 & Annexure 23** with **SOP 4/9**. In exceptional cases, if press publicity is required to be given apart from website publicity, written permission shall be obtained from next higher authority.

4.13 Time Limit for Publicity of Tenders

1. **Time for publicity:** The following time limits between the date of publication of tender on website and the date of receipt of the tenders are desirable.
 - (i) 7 days in the case of works with estimated cost put to tender up to Rs. 5 crore.
 - (ii) 14 days in the case of works with estimated cost put to tender more than Rs. 5 crore (for single bid system).
 - (iii) 21 Days for tenders in two/three bid system subject to the condition that minimum 14 days should be given for submission of bid after the issue of clarifications/modifications consequent to the pre bid meeting. (Added vide OM no. DG/Manual 2022/02 dated 19.09.2022)
2. These time limits may be varied by the NIT approving authority, with recorded reasons keeping in view the exigencies and complexity of the work. However, the publicity period even for short notice tenders shall not be less than 3 days.

If any corrigendum/amendment with regard to NIT /tender is issued then minimum 3 days time for publicity shall be available for receipt of the tender.

If the banks are closed on the last date of submission of tenders, the date shall be postponed to next working day.

3. Uploading and Opening of Tenders

In compliance to Committee of Secretaries proposal regarding govt. tenders at national level, specific days are fixed for different regions for inviting/ uploading of NIT and opening of tenders. For details refer **Annexure -7** of SOP document.

In case of exigencies of work or emergent situations the T/S Authority can allow to call and open tenders on any other day instead of specific fixed days.

4.14 Validity Period of Tenders

The validity period for acceptance of tenders in case only financial bids are invited shall be 30 days from the last date of receipt of bids and in all other cases 75 days from the last day of receipt of technical bid.

The responsibility regarding obtaining validity of tender shall be of Executive Engineer and a close watch shall be kept by him at every stage of tender regarding expiry of validity period. Tender inviting authority has to act judiciously so that tender award is not hampered due to non availability of validity of tender. Tender inviting authority should not wait for any directions. He has to act on his own to get the validity of tender extended if required.

4.15 Action in case of No Response /Unreasonably High Rated Response to Tenders

If no response to tenders from the contractors of the appropriate classes is received or if unreasonably high rates are received following measures may be taken by the NIT approving authority after obtaining approval of the ADG/SDG or any other authority designated by the Directorate from time to time:

- (i) Tenders will be opened to next lower class including to contractors registered with other departments like Railways, MES, Telecommunication & State PWDs of appropriate class and works, and /or
- (ii) Modify the eligibility criteria suitably.

4.16 Formalities for Re-invitation of Tenders

If the lowest bidder backs out, there should be re-tendering in a transparent and fair manner. In such a situation, the NIT approving authority may call tender at short notice if so justified in the interest of work. The contractor who has backed out shall not be allowed to participate in the re-tendering process. All other formalities mentioned in aforesaid paras shall be observed. All notices regarding any change in dates and time of receipt/opening of tenders are to be uploaded in the website.

4.17 Tendering Limit of Contractors Enlisted with CPWD as well as Other Central/State Government Departments

If a contractor is enlisted with CPWD as well as with MES, BSNL, Railways or Buildings and Roads wing of State Govt., he/she shall be eligible to tender for works up to the amount permitted by virtue of his enlistment limit in the CPWD or by virtue of his enlistment in MES, BSNL, Railways or Buildings and Roads wing of State Govt. whichever is higher, in case tenders are opened for non - CPWD Contractors also.

4.18 Past Experience of Works Executed

A non-CPWD contractor shall be eligible to tender for works based on the past experience gained from the works executed by the earlier firm (partnership firm) in the same proportion of share of the applicant in that partnership firm where the applicant was a partner earlier.

4.19 Debarment of Contractors with Blemished Record

For procedure to be followed in case of adverse report received by the Engineer-in-Charge against any non-CPWD contractor, either from the department in which he is enlisted or from any other department Refer **SOP No. 4/10**.

Details of debarment of Non- CPWD contractors must invariably be uploaded on CPWD website.

4.20 Suspension of Business with contractors

In case where the bidders violate the EMD declaration submitted alongwith the bid, the Executive Engineer concerned shall take necessary action against the contractor for suspension from bidding as per NIT conditions after issuing show cause notice to the contractor. Refer **SOP No 4/11**.

CHAPTER 5

CONTRACT MANAGEMENT

5.0 Essential Guidelines While Drawing Contracts

- (1) All contracts shall be executed by the Engineer-in-Charge "for and on behalf of the President of India" as per Article 299 (1) of the Constitution of India.
- (2) Standard forms of contracts should be adopted as far as possible and should be clear, legible and unambiguous. Deletion/modifications of the clauses will be made by NIT approving authorities keeping in view CVC and Government of India guidelines.
- (3) Save in exceptional circumstances, no work of any kind should be commenced without prior execution of contract as per the Indian Contract Act.
- (4) The terms of the contract once entered into should not be materially varied.
- (5) No contract involving an uncertain or indefinite liability or any condition of an unusual character should be entered into without the previous consent of the Ministry of Finance.
- (6) Provision of Integrity Pact shall be made in GCC for all works with estimated cost put to tender (ECPT) of Rs. 300 crore and above. Provision of Integrity Pact is not to be kept for works with estimated cost put to tender below Rs. 300 crore. The integrity Pact duly signed by the Engineer-in-Charge in the presence of a witness for works with ECPT of Rs. 300 crore and above shall form part of NIT documents to be uploaded on the e-tendering website.

Integrity pact shall be deleted from GCC while framing agreement by Engineer-in-Charge in works where Integrity pact is not applicable.

Details of Integrity Pact in Government Departments/Organizations and appointment of Independent External Monitors (IEM) to oversee the Integrity pact are contained in CVC Circular no. 05/01/22 dated 25.01.2022 available on CVC website which may be referred along with amendments thereof.

(Added vide OM no. DG/Manual 2022/02 dated 19.09.2022)

- (7) The complete contract should comprise of documents as given in **Annexure -8** of SOP document.
- (8) Once the contract is determined, there is no provision of revocation.

5.1 Earnest Money, Receipt, Opening and Acceptance of Tenders

5.1.1 Necessity for Earnest money

To safeguard against a bidder withdrawing or altering his/her bid during the bid validity period, earnest money shall be obtained from the bidders for all tenders unless otherwise mentioned in the tender documents.

5.1.2 Rates of Earnest Money

- (1) For works estimated to cost upto Rs ten crore or as notified from time to time: 2% (Two percent) of the estimated cost.
- (2) For works estimated to cost more than Rs ten crore or as notified from time to time : Rs. Twenty lakhs plus 1% (one percent) of the estimated cost put to tender in excess of Rs. ten crore.
- (3) In case of petty works costing Rs. 25,000/- or less the Executive Engineer may, at his discretion, dispense with the conditions for calling for Earnest Money.

5.1.3 Mode of Deposit

- (1) The Earnest money is to be deposited as prescribed in the NIT. The procedure shall be followed as given in **SOP 5/1**.
- (2) In case of postponement of tender due to bank holiday on the last date of receipt of tender, the validity of already prepared earnest money will be acceptable as provided originally.
- (3) The Bank Guarantee including e- Bank Guarantee submitted as a part of Earnest Money shall be valid for a period of 90 days where only financial bids are invited and for a period of 180 days for two/three bid system from the date of submission of the tender.

5.1.4 Refund of Earnest Money

- (1) The earnest money given by all the bidders except the lowest bidder should be refunded immediately after the expiry of stipulated bid validity period or immediately after acceptance of the successful bidder, whichever is earlier. However, in case of two/ three bid system, earnest money deposit of bidders unsuccessful during technical bid evaluation etc. should be returned within 30 days of declaration of result of technical bid evaluation. For refund of earnest money, the procedure is given in **SOP 5/2**.
- (2) Earnest money shall be refunded on receipt of Performance Guarantee submitted on award of work.

5.1.5 Earnest Money Stipulation in Work/Supply Order to be awarded after Call of Quotations

In case condition for depositing earnest money is laid down in the Notice Inviting Quotation (NIQ), the following condition shall be stipulated:

"The quotation for the work/supply shall have validity for a period 3 to 7 days (as decided by NIQ inviting authority) 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 during validity period or makes any modification in the terms and conditions of the quotation which are not acceptable to the department, and to forfeit absolutely if the quotationer, whose quotation is accepted, fails to commence the work/supply specified in the NIQ (alongwith changes in scope, if any) in the prescribed time or abandons the work/supply before its completion."

5.1.6 Justification of Tenders

Justification of tenders shall be prepared by Engineer-in-Charge (with the assistance of concerned AE and /or JE) of major component in association with EEs/DDH(with assistance of AE/ADH and/or JE/SOH concerned) of minor components based on market rates of material and labour prevailing at site of work on the last day of receipt of tenders. The justification should invariably be prepared before the date of opening of Financial Bids. Procedure on Justification of Tenders is given in **SOP 5/3**.

5.1.7 Forfeiture of Earnest Money

- (1) (i) If any tenderer withdraws his tender or makes any modification in the terms & conditions of the tender which is not acceptable to the department within 7 days after last date of submission of bids, then the Government shall without prejudice to any other right or remedy, be at liberty to forfeit 50% of earnest money absolutely irrespective of letter of acceptance for the work is issued or not.

- (ii) If any tenderer withdraws his tender or makes any modification in the terms & conditions of the tender which is not acceptable to the department after expiry of 7 days after last date of submission of bids, then the Government shall without prejudice to any other right or remedy, be at liberty to forfeit 100% of the earnest money absolutely irrespective of letter of acceptance for the work is issued or not.
- (2) If contractor fails to furnish the prescribed performance guarantee within the prescribed period, the earnest money is absolutely forfeited to the President automatically without any notice.
- (3) In case of forfeiture of earnest money as prescribed in Para (1) and (2) above, the bidder shall not be allowed to participate in the re-tendering process of the work.

5.1.8 Procedure for Conducting Negotiation

- (1) Negotiations should not normally be conducted with the bidder, but in case where it becomes necessary to do so, negotiations should be restricted to the lowest bidder only under exceptional circumstances with the approval and recommendation of the next higher authority. Convincing reasons must be recorded by the authority recommending negotiations.
- (2) The justification and details of such negotiations should be duly recorded and documented without any loss of time. For procedure Refer **SOP 5/4**.

5.1.9 Acceptance of Tenders:

The powers delegated to various officers of the department for acceptance/approval of tender are given in "Financial Powers delegated to CPWD Officers". The same powers shall be applicable in case of rejection of tenders also. The detailed guidelines for processing and acceptance of tenders are given in **SOP 5/5**.

5.1.10 Responsibilities of the Finance officer/SE(P)/EE(P) /Divisional Accountant /AE(P) in scrutiny of tenders are given in **SOP 5/6**.

5.1.11 Guidelines on Acceptance of Tenders by the Central Works Board and Regional Works Board are given in **SOP 5/7**.

5.1.12 Acceptance of Tenders in anticipation of Revised Expenditure Sanction

Procedure of acceptance of tenders in anticipation of Revised Expenditure Sanction is given in **SOP 5/8**.

5.2 Performance Guarantee

- (1) To ensure due performance of the contract, Performance Guarantee shall be obtained from the successful bidder.
- (2) PG shall be 5% of the contract amount or as prescribed from time to time to be submitted in the form as prescribed in GCC. Performance Guarantee shall remain valid for a minimum period of sixty days beyond the date of completion of all contractual obligations as per GCC. In case of contracts where supplementary agreement is drawn, the fresh PG shall be obtained from the contractor @ 5% of the amount of the supplementary agreement or as prescribed from time to time. The PG received against the original work shall be released as per contract conditions.

- (3) The time allowed for submission of the performance guarantee may be decided by NIT approving authority but not beyond 7 days of issue of the letter of intent depending upon the magnitude and/or urgency of the work. For extension of time for submission of PG beyond stipulated time period in NIT, the NIT approving authorities may include provision of suitable interest chargeable on per day basis but such extension should not exceed by another seven days. However, in case last day of submission of PG happens to be a bank holiday the last day of submission shall be the next working day.

5.3 Date of Start:

- (1) The date of start of the work may be decided by NIT approving authority ranging from 3 to 10 days from the date of issue of letter of Intent.
- (2) The letter for commencement of work shall be issued to the contractor only after he/she submits the performance guarantee in an acceptable form. Sample copy of letter of acceptance and letter for commencement of work are as per **Annexure-9A & 9B** of SOP documents.

5.4 Execution of Agreement

5.4.1 Power to Sign Agreement

Each page of the agreement and all attached documents shall be signed by the Engineer in Charge or his authorized representative and the contractor, as per the conditions of the NIT. One duplicate copy of the agreement shall be supplied to the contractor free of cost. Additional copies to the contractor shall be charged @ Rs 2000/- per copy or as decided by the NIT approving authority.

5.4.2 Custody of the Original Agreements

The Engineer-in-charge shall be responsible for the safe custody of the agreements. A record of the agreements drawn up should be kept in Form CPWD 42.

5.5 Security Deposit

The security deposit shall be deducted from the running bill as well as final bill as per provisions of the GCC.

5.5.1 Forms of Security Deposit

The security from a contractor shall be taken in one of the forms as given in GCC.

5.5.2 Repayment/Retransfer of Security Deposit

No security deposit should be repaid or re-transferred to the depositor, or otherwise disposed off, except in accordance with the terms of the agreement. The depositor's acknowledgement should be obtained in all cases of security deposit that is returned. When an interest-bearing security deposit is returned or re-transferred, the acknowledgement should set forth the full particulars of the security.

5.5.3 Bank Guarantee including e-Bank Guarantee

The Bank Guarantee including e-Bank Guarantee submitted by agencies for various purposes such as earnest money deposit/performance guarantee/security deposit/ mobilization advance/ Milestone(s) shall be effectively monitored. Detailed guidelines given in SOP 5/34 shall be followed.

5.6 Execution of Works

5.6.1 Administration

- (1) The administrative set up of CPWD project execution units will be as decided by DG CPWD or any other authority as designated by the Directorate from time to time.
- (2) All the correspondences with contractors shall be made by Engineer-in-Charge as defined in GCC.

5.6.2 Preliminaries

- (1) The Engineer-in-Charge and his representatives shall be responsible for execution of works and contract management according to the drawings, design, specifications, quality, and agreement etc. Time of completion of work shall be considered as an essential factor of contract management.
- (2) For timely delivery of the project, the T/S authority, architect, structural designer and services designers, if any, shall ensure timely availability of drawings for construction and availability of details. Similarly, water supply, drainage, E & M services etc. drawings shall be ensured before execution of services work. In case of EPC contracts, the responsibility will be on the contractor but monitoring shall be done by the Engineer-in-Charge.
- (3) In case, private consultant(s) has been appointed by the T/S Authority, the T/S authority shall ensure timely availability of drawings and details from the consultant(s). In case, the consultant has been appointed by the client, close interaction and monitoring shall be made by the T/S authority for timely availability of the drawings and details.
- (4) Details of the work from the pre-construction stage to completion and handing over the work including payments made, and any other details of importance will be maintained by the Engineer-in-Charge in physical form or in digital form and to facilitate general public to get information of complete details of the work. QR (Quick Response) coding facility shall be prominently displayed by the Engineer in Charge at a suitable location on site accessible to general public as per the directions issued by the Directorate from time to time.
- (5) The T/S Authority shall post on the CPWD website, the details of all the field officers engaged in the project and nodal officer to facilitate contact.

5.6.3 Co-ordination at Construction Stage

The coordination during construction stage shall be done by the T/S Authority as per procedure given in **SOP 5/9**.

5.6.4 Responsibility for Quality of Work

The officer who records/test checks the measurements for an item of work will be responsible for the quality, quantity/ measurements and dimensional accuracy of that item of work. In respect of all works, the responsibility of various officers for checking of materials and workmanship of items of works shall be as given in **SOP 5/10**. The Engineer-in-Charge shall be responsible for the overall quality of work. In case of works where TPQA is deployed, SE/CE shall monitor the compliance of observations of TPQA by the Engineer-in-Charge.

In case, the quality has been checked by the QA unit of CPWD, the removal of defects shall be ensured within reasonable time by the Engineer-in-Charge and the QA unit.

5.6.5 Responsibilities of Field Officers and Contractor with Regard to the Labour Laws

Main responsibilities and procedures to be followed by the field officers with regard to labour regulations are given in **SOP 5/11**.

5.6.6 Periodic Inspection of Works

The works shall be inspected frequently by various officers concerned with the work to ensure that the work in general is being carried out according to quality, design, drawing, and specifications. The programme for inspection of the works shall be followed as per details given in **SOP 5/12**.

5.6.7 Monitoring of Cement & Steel Consumption

The consumption of steel and cement at site shall be monitored as per processes given in **SOP 5/13**.

5.7 Site Documents

- (1) For Projects, inspection register has been made online on CPWD Website for recording observations by Senior Officers. The online register is to be accessed through PMS for maintaining online record of all site inspections made from the start of work to its completion. The online inspection register would start from the date of registration of a project/sub project/work in PMS or in the system prescribed by the Directorate from time to time.
- (2) For maintaining and operating other site documents viz Site order book, physical inspection register (wherever applicable), cement register, dismantle register etc details are given in **SOP 5/14** which may be referred.

5.7.1 Documentation of Accounts

For documentation of Accounts of a work viz Bill register, Contractors Ledger, Register of works guidelines are given in **SOP 5/15**.

5.7.2 Testing of Materials from Govt. / Private Laboratories

Guidelines on Testing of Material from Govt. / Private laboratories are given in **SOP 5/16**.

5.8 Grant of Mobilization Advance to the Contractors for Executing Capital Intensive Works

- (1) In respect of specialized and capital-intensive works, provision of mobilization advance may be kept in the tender documents by the NIT approving authorities.
- (2) The NIT approving authority should use his/her discretion carefully in deciding whether any particular work shall be considered as specialized or capital intensive one. Applicability or otherwise of relevant clause of GCC shall be clearly indicated in Schedule 'F', while finalizing NIT of a particular work.
- (3) Conditions on which the mobilization advances to be paid are given in **SOP 5/17**.

5.9 Grant of Plant, Machinery and Shuttering Material Advance

In respect of capital-intensive works, provision of Plant, Machinery and Shuttering material Advance may be kept in the tender documents by the NIT approving authorities. The NIT approving authority

should use his/her discretion carefully in deciding whether any particular work shall be considered as capital intensive one. Applicability or otherwise of relevant clause of GCC shall be clearly indicated in Schedule 'F', while finalizing NIT of a particular work. Such advance may be given as per GCC conditions. Conditions on which the T & P advance are to be paid are given in **SOP 5/18**.

5.10 Secured Advance

Secured advance is a term applied specifically to an advance made on the materials brought at site of work, to a contractor whose contract is for the completed item of work. However, where stage payments are stipulated in certain contracts, like for E&M and other specialized works, such payments shall not be treated as secured advance. Conditions on which the Secured advance is to be paid are given in **SOP 5/19**.

5.11 Extra and Deviated Items in Work

Extra items are those items which are not available in the agreement but are required to complete the work. Deviation means increase or decrease in the quantities of items of work in the agreement. The rates for deviated items beyond the limit specified in schedule F of the agreement as well as those of extra items shall be worked out in the manner prescribed in clause 12 of GCC.

Provisions of deviation/extra items in a contract must be utilized exclusively within the scope of particular work and in no case be extended to other works under any circumstances.

Following time limits shall be followed for sanction of extra and deviation items after submission of claim by the contractor.

Sl. No.	Decision making authority	Time limits
1.	Engineer-in-Charge within his own competency	30 days
2.	Authority higher than Engineer-in-Charge	
	(a) Submission to higher authority by Engineer-in-Charge	15 days
	(b) Processing by planning unit of higher authority	Next 15* days
	(c) Decision by higher authority	Next 15* days

* In case, there are more than one higher authority, the time period under Para 2(b) and 2 (c) in the above table shall be 7 days for each higher authority. The deviated and extra items should be sanctioned within the time limit prescribed in GCC.

In case, no claim is submitted by the contractor within the specified period as per GCC, the Engineer-in-Charge should initiate extra/deviation items intimating the contractor that no claim in this regard shall be entertained later on.

5.11.1 Powers to Sanction of EI/Deviations

- (1) The powers of officers to accord sanction to extra items and deviation items for works are given in "Financial Powers delegated to CPWD Officers."

- (2) The deviation and extra items shall be utilized exclusively for the particular work. Further, the total expenditure on the work (including deviation and extra items) should not exceed the AA & ES amount, except in case of MoHUA budgetary works where the total cost of work should not exceed 10% of AA & ES amount.
- (3) The authorities preparing, examining and sanctioning extra items should ensure proper preparation of nomenclature of items and record specific reasons to execute them. Casual remarks/reasons like "required as per site conditions" or "required at site" etc should not be recorded.

5.12 Measurement of Work

All measurements are to be done as per provisions of GCC and abstract of schedule of measurements and payments are to be entered through PFMS portal of CPWD using E-MB module.

5.12.1 In Case Physical Measurements Books are Used

The procedures on operation of MB i.e writing of MB, Recording of measurements, Movement of MB, Transfer of MB, Review of MB, Loss of MB etc are given in **SOP 5/20**.

5.12.2 Where Measurements Need Not to be Recorded

No measurements need be recorded for petty purchases made through permanent imprest accounts. Details are given in **SOP 5/20** which may be referred.

5.12.3 Measurements for Inadmissible Items

Items claimed by the contractor which in the wisdom of the Engineer-in-Charge are not admissible for payment, measurements should be recorded without prejudice for record purposes only under heading "Inadmissible items claimed but not included in the payment" so that in case it is subsequently decided to admit the contractor's claims in Conciliation/Arbitration/Court proceedings, there should be no difficulty in determining the quantities of such work done.

5.12.4 Measurements for Earth Leveling Works

Procedure on measurements of earth leveling work is given in **SOP 5/21**.

5.12.5 Advance Payments for Work Done and Measured/Not Measured

Advance payments can be made to the contractor on a running account bill form for the work done and measurements submitted by him, but not checked or work done but not measured, on receipt of an application from the contractor for financial aid in the shape of part payment. It can be paid by the Engineer-in-Charge as a lump-sum advance payment on Form CPWA 26, subject to the conditions given in **SOP 5/22**.

5.13 Acceptance of Substandard Work

- (1) In general, sub-standard works should not be allowed to occur, as they reflect poorly on the professional competence of the field staff and adversely affect the image of the Department.

- (2) Acceptance of work below specifications and/or below acceptable levels of workmanship, and the resulting payment at reduced rates for such defective/deficient works should be resorted to only for those items where materials conforming to the required specifications are not available, or where it is structurally impossible to get the work re-done or where in opinion of CE /SE in charge it is expedient to do so. Details for acceptance/payment of substandard works are given in **SOP 5/23**.

5.14 Test Checking of Measurements

Test Checking of measurements shall be carried out by respective officers as given in **SOP 5/24**.

5.15 Documentation of Hindrances

- (1) The requirement of maintaining and operating physical Hindrance Register has been dispensed with for all works whose NIQ/NITs are uploaded on or after 19/2/2019. Delay in execution of works has to be avoided by authorities through close co-ordination with all concerned and taking timely decisions. Whenever any hindrance, whether on the part of department or contractor causing delay in the works comes to the notice of JE/AE, he should at once write in the site order book and immediately make a report to the Engineer-in-Charge. On receipt of JE/AE's report or as soon as any hindrance comes into the notice of the Engineer-in-Charge, he will make immediate efforts to get it removed. All correspondence made in this regard shall be kept on record.

In case of receipt of any notice from the contractor regarding hindrance or events under Clause 5.2 of GCC, the Engineer in Charge shall within 10 days of receipt of such notice, reply to the contractor and maintain record of the correspondence.

All correspondences kept on record, shall be considered by the Competent Authority for the extension of time/rescheduling of milestones.

- (2) For ongoing works/ works whose NIQ/ NIT was uploaded prior to 19/02/2019, existing guidelines of the Works Manual 2014 would be followed.
- (3) For New Works
 - (i) The contractor has to first register himself through a registration form, available on CPWD website under 'Contractors Login' tab. After registration, User ID and Password will be automatically generated and sent on his registered mobile and email ID. Using this User ID and Password he can access the module and view all the works which are being carried out by him in CPWD and he can register the hindrance against any particular work. After recording the hindrance by the contractor, it will be visible to all concerned officers (JE and above) of that work. An alert through text message and email will be sent to EE.
 - (ii) Executive Engineer will first assign the work to the JEs/AEs who will give their comments on the hindrance within 2 days. After that, Executive Engineer of the work will have to take appropriate action on the hindrance within next 2 days. The comments of JEs/AEs will not be visible to contractor, only the decision of Executive Engineer on the hindrance will be visible to contractor under "Decision of the Engineer-in-Charge".

5.16 EOT & Rescheduling of Milestones

For EOT and Rescheduling of milestones, provisions as per GCC shall be followed. The Engineer-in-Charge may release withheld amount on account of non achievement of milestone(s) against Bank Guarantee/FDR of an equivalent amount valid upto stipulated date of completion (to be extended further, if required) issued by a commercial Bank. The procedure for EOT & Rescheduling of Milestones given in **SOP 5/25** may be referred.

5.16.1 Compensation under Clause 2

The compensation under clause 2 is to be operated by following due procedure and proper application of mind. The condition under which compensation under clause 2 is levied on the contractor is given in **SOP 5/26**. Notice to adjust or set off compensation from dues to the contractor shall be notified by the Engineer-in-Charge accordingly.

5.17 Completion Certificate

5.17.1 Recording of Provisional Completion Certificate

On substantial completion of any work, which has been completed to such an extent that the intended purpose of the work is met, and is ready for use, then a provisional completion certificate with a list of outstanding balance items of work that need to be completed in accordance with the provisions of the contract shall be recorded by the authorities as per contract value mentioned below.

- | | | | |
|------|---------------------------------------|-------------------|--------------------|
| (i) | For building and infrastructure works | | |
| | (a) | Up to Rs.10 crore | - EE |
| | (b) | Above Rs.10 crore | - EE and SE or CE |
| (ii) | For horticulture works | | |
| | (a) | Up to Rs.1 crore | - DDH |
| | (b) | Above Rs.1 crore | - DDH and SE or CE |

5.17.2 Recording of Final Completion Certificate

Before the work is declared as complete in all respect for release of final payment, the work shall be inspected by the authorities as specified in para 5.17.1 above. The Final Completion Certificate shall be recorded by the authorities mentioned in Para 5.17.1 above, under whose tenure the work is completed. In case of composite work, the completion certificate shall also be recorded by the Executive Engineer concerned of the minor component of work. Procedure for inspection of works for issue of completion certificate is given in **SOP 5/27**. The time schedule for issue of completion certificate shall be as per GCC provision.

5.17.3 Occupancy Certificate and As Built Drawings

- (1) The Engineer-in-Charge shall obtain the Occupancy Certificate, wherever required, from local bodies with the help of concerned Architect/Consultant before handing over of buildings for the budgeted works.

Engineer-in-Charge shall monitor the same on monthly basis. In case, any difficulty is encountered in obtaining occupancy certificate, Engineer-in-Charge shall report to the higher office. All concerned officials (Engineer-in-Charge & Senior Architect concerned) to ensure that completion cum occupancy certificate, wherever required is obtained from local bodies with the help of concerned Architects/ Consultant within 3 months after physical completion of the building. All the pre-requisite for applying completion cum occupancy certificate shall be kept ready in advance.

- (2) For all works, the Engineer-in-Charge shall also ensure that all the "Completion /As Built" drawings of services i.e Water supply, Drainage, E & M services are handed over to the Client as well as to the maintenance unit invariably. In case consultant is engaged, the responsibility will be as per the agreement signed between the Engineer-in-Charge and the Consultant but overall responsibility will be of the Engineer-in-Charge. For deposit works, responsibility will be as per the MoU.
- (3) All such "Completion /As Built" drawings of services shall have a unique ERP generated identifier number (called the ERP Drawing/Document Number or EDN) through the Collaboration Tool of CPWD ERP as per SOP issued by the ERP Unit. This EDN shall be in addition to the drawing/ document number presently being written on drawings/documents (whether prepared in-house or through consultants) and will be written/ stamped/embedded clearly on the drawing / document by the drawing / document approving authority (i.e. Chief Architect /Senior Architect/Architect/CE/SE/ EE/AE/ Technical Sanction Authority as the case may be). All such "Completion /As Built" drawings of services shall be uploaded in pdf format only on the Collaboration Tool for issue and transmittal along with the unique EDN as per SOP issued by ERP unit.

The "Completion /As Built" drawings of services shall not be considered valid without EDN and without uploading and transmittal on ERP Collaboration Tool (whether prepared in-house or through consultants)

(Added vide OM no. DG/Manual 2022/03 dated 20.09.2022)

5.18 Payment

5.18.1 Time Schedule for Payment of Bills

Ad-hoc payments amounting to 75% of the eligible running account bill/due stage payment shall be made to the contractor within 10 working days of the submission of the bill.

The bill shall be prima facie scrutinized and certified for ad-hoc payment of 75% by both AE and JE (wherever available) in total five working days, three working days by accounts branch and two working days by concerned Executive Engineer.

The remaining payment is also to be made after final checking of the bill, maximum within 28 working days of submission of bill by the contractor. In case the payment has not been released within 10 working days as prescribed above, it shall be made as soon as possible and after payment a written explanation for the delay shall be submitted to the next higher authority by the Executive Engineer within three working days.

The final bill shall be paid within the time schedule as per GCC provisions.

5.18.2 Authorities to Pass the Bills

Authorities empowered to prepare, examine or verify and pass the bill will be as notified by the Directorate from time to time. Presently, the authorities are as mentioned in **Annexure -10 of SOP** document.

5.18.3 Payment through Public Financial Management System (PFMS)

Public Financial Management System (PFMS), an integrated Financial Management System of Controller General of Accounts, Government of India, shall be used for sanction preparation, bill processing, payment, receipt management, Direct Benefit Transfer, fund flow management and financial reporting.

All payments, to the extent possible, shall be released 'just-in-time' through PFMS.

5.18.4 Deduction of Income Tax at Source

Under Section 194C of the Income Tax Act, 1961, deduction of income tax is required to be made at source by disbursing officers from payments made to contractors. The procedure is given in **SOP 5/28**.

5.18.5 Deduction of GST

GST will be deducted from the payment made to the Contractor as per the GST Act and instructions issued from time to time.

5.19 Conditions for Refund of Security Deposit and Performance Guarantee

- (1) The security deposit and performance guarantee shall be refunded to the contractor as per GCC provisions.
- (2) Refund of security deposit in cases of delay in final bill and maintenance of Deposit Register shall be as per procedure given in **SOP 5/29**.
- (3) Refund of security deposit regarding specialized work shall be as per **SOP 5/30**.

5.20 Supplementary Agreements

- (1) Supplementary Agreement shall be drawn where it is not desirable to keep the complete contract open for minor items, execution of which is not immediately possible on account of:
 - (i) Certain pre-requisite(s) which is(are) not the responsibility of the contractor, or
 - (ii) Execution of maintenance/operation of equipment and installations for a specified period after completion of the construction/erection work.
- (2) In such cases the main contract may be finalized, and the residual work may be got done through the same contractor by executing Supplementary Agreement on the form prescribed in **Annexure -11 of SOP** documents.
- (3) The authority competent to accept the tender will be the authority to order provisional closure of the original contract and drawing up of the supplementary agreement.

5.20.1 Tenders for Component Parts of Main Work

In cases where the main work has been completed and there is some residual work forming part of the main project remaining to be done, the tenders for such residual part need not be sent to the higher authorities, and may be decided by the EE or SE if the amount of such residual work is up to 10% of their power to accord Technical Sanction power respectively.

CE/SE or any other authority notified by the Directorate from time to time will have full powers to decide the tenders for residual part subject to the fact that the sanctioned amount is not exceeded.

5.21 Arbitration and Litigation

5.21.1 Pre-arbitration and Arbitration Mechanism

- (1) The pre-arbitral and arbitration process shall be as per provisions in arbitration clause in the contract and the Arbitration and Conciliation Act, 1996 or any amendment thereof. The arbitration clause shall come into existence on issuance of LOI.
- (2) The procedure and steps to be taken by the Engineer-in-Charge to properly prepare and defend the arbitration cases before Arbitrator are as given in **SOP 5/31**.

5.21.2 International Commercial Arbitration

When tenders are also open to foreign bidders, the NIT approving authority shall take due care to amend the arbitration clause to have an alternative provision for international commercial arbitration to be made part of NIT by reference as an amendment to the General Conditions of the Contract, after obtaining advice from the Ministry of Law and Justice.

5.21.3 Acceptance/Challenge of Award

The Competent authorities for acceptance/Challenge of arbitration awards are given in "Financial Powers delegated to CPWD Officers".

5.22 Court Cases

The procedure is given in **SOP 5/32** for dealing with court cases.

5.23 Operation of Contract Clauses

The procedures are given in **SOP 5/33**.

CHAPTER 6

STORES

6.0 PURCHASE OF STORES

Stipulation of material in contracts has since been stopped in CPWD works. Therefore the need of purchase of stores does not arise. However, in case of exceptional circumstances which may require purchase of stores for stipulation in the contract then “Manual for Procurement of Goods and Services” issued by the Ministry of Finance can be referred. The T/S Authority may decide the eligibility criterion & terms and conditions for purchase of material by taking guidance from this document. The document is available on website of Ministry of Finance “www.finmin.nic.in” (Department of Expenditure). The financial powers for procurement of goods and service from open market through tenders shall be as given in the “Financial Powers delegated to CPWD Officers”.

CHAPTER 7

QUALITY ASSURANCE

7.1 Chief Technical Examiners Organization

7.1.1 Functions

The Chief Technical Examiner's Organization is the technical wing of the Central Vigilance Commission. The Chief Technical Examiner's Organization conducts inspections of works of CPWD from the vigilance angle on its own or on a complaint being received by/referred to them. The inspections can be carried out by them for works of any magnitude, both in respect of original and repair works.

7.1.2 Returns

- (1) Quarterly return of the works in progress, as per CTE's circulars from time to time are required to be submitted to CTE after consolidation at the regional level or as notified by the Directorate from time to time. Details are given in **SOP 7/1** which may be referred.
- (2) The Engineer-in-Charge/SE/CE/ADG/SDG shall monitor CTE paras and ensure that the paras of CTE are settled on priority. (OM No. DG/Manual 2022/05 dated 09.11.2022)
- (3) While making correspondence with the contractor, Engineer-in-Charge shall not quote/give reference of CTE's inspections. The Engineer-in-Charge shall accompany CTE/representatives of CTE during inspections and issue inspection paras of the CTE to the contractor as his own observations.

7.2 Quality Assurance and Technical Audit Wing

7.2.1 Introduction

- (1) The Quality Assurance activity has to ensure a progressively improved and uniform quality of the finished work. In order to achieve this, the pre-requisites cover among other things, an in-built provision in the contract for a system of continuous check on quality by the field staff and the contractor, availability of adequately manned and equipped agency for overseeing the quality aspects, and periodical appraisal of quality and a system of feedback for effecting possible improvements.
- (2) The NIT Approving Authority has to ensure through contract conditions that the Concept of Total Quality Management (TQM) is in-built in the work delivery system for which everyone shares well defined responsibilities.
- (3) For budgeted works, engagement of TPQA agency will be done for the works above Rs 20 crore or as per the directions issued from time to time by the CPWD Directorate. For Deposit works, TPQA provisions will be made as per MOU. For all other contracts where no TPQA is engaged, the existing QA units of Project Regions/Regions or as notified from time to time shall carry out the Quality Assurance checks on random basis. In cases where TPQA is deployed, the QA units may also inspect such works where so desired by heads of Project Regions/Regions. Details are given in **SOP 7/2&7/3** which may be referred.

CHAPTER 8

MISCELLANEOUS

8.1 Co-opting of CPWD Officers as Member in Building Works Committee Constituted by Various Department/ Organizations

The CPWD Officers are co-opted as member in Building Works Committee constituted by various Department/Organizations. In such cases, instruction given in **SOP 8/1** shall be followed.

8.2 Consultations with Department of Archaeology and Other Departments for New Constructions

The guidelines and instructions for consultation with Department of Archaeology and other departments for new constructions shall be as given in **SOP 8/2**.

8.3 Demolition of Un-safe Buildings/Structures

In case it is decided to demolish such unsafe building/structure, it should be disposed off without land by auction under the powers vested in competent authorities as indicated in "Financial Powers delegated to CPWD Officers".

8.4 Disposal of Government Buildings

- (1) No Government building, built or purchased, should be disposed off by sale or demolition unless it has previously been ascertained that it is not required by any Department of the Government, and/or it is in dangerous condition and/or beyond economic repairs, or it is necessary to have a vacant site for constructing a Government building or structure in place of the existing one.
- (2) The powers for sale or dismantlement of public buildings are given in "Financial Powers Delegated to CPWD Officers".
- (3) When a building is proposed to be dismantled, a survey report should be prepared and submitted for approval of the authority competent to sanction sale or dismantlement of the building. Where the approval of the Government of India to the proposal of demolition of the building is necessary and such approval in- principle has been obtained, the Director General/SDG/ADG/Chief Engineers are delegated Financial Powers in CPWD to sanction such survey reports.
- (4) After the survey report is sanctioned, the reserve price shall be fixed by the officers, as per delegated powers, after taking into consideration the assessed salvage value of the dismantled materials only.
- (5) The buildings which are not owned by CPWD/Directorate of Estates, MoHUA, approval of disposal shall be taken from the owner/client.

Note: Salvage value shall be defined as the cost of dismantled materials less the cost of dismantling it.

8.5 Disposal of Purely Temporary Structures

- (1) The Engineer-in-Charge shall have full powers for fixing the reserve price of the purely temporary structures erected during the construction of a work after its purpose has been served. These temporary structures shall be sold or dismantled/auctioned by the Engineer-in-Charge, taking into consideration the life and condition of the structure and other local conditions.
- (2) For such temporary structures constructed in "Deposit works" it will be up to the client either to retain or get them disposed.

8.6 Disposal of Surplus or Unserviceable Stores, T & P

- (1) The powers to declare any store, T & P as surplus or unserviceable and issue orders regarding the manner in which the particular stores/T & P declared as surplus or unserviceable are to be disposed off is given in "Financial Powers delegated to CPWD Officers". This disposal can be either by e-auction or through sealed quotations or any other suitable method. Rules for departmental auction / e-auction of surplus and unserviceable stores are given in **SOP 8/3**.
- (2) If disposal of any surplus or obsolete or unserviceable item is not possible inspite of attempts through auction, then it can be disposed off at its scrap value with the approval of the competent authority in consultation with finance division. In case the Department is unable to sell the item even at its scrap value, it may adopt any other mode of disposal including destruction of the item in an eco-friendly manner.

8.7 Expenditure on Survey Work

The expenditure on survey of site and soil investigation works for safe bearing capacity will form part of the main project or enabling work as sanctioned.

8.8 Expenditure on Exhibitions & Inaugurations

The CPWD officers are delegated powers to sanction such expenditure upto a limit as given in "Financial Powers Delegated to CPWD Officers" on each occasion. This expenditure shall be met from the contingencies of the work concerned, as the case may be. However, for deposit works, such expenditure shall be incurred with the approval of the client.

8.9 Expenditure on Architectural Models

Wherever required, the CA/SA/CE/SE shall arrange for the preparation of Project presentation i/c walk through models, Architectural models and their presentations by charging the expenditure to the sanctioned enabling work or the main work as the case may be.

8.10 Engagement of Private Consultants

The competent authority(ADG/SDG) or as notified by the Directorate from time to time, shall appoint and prepare a panel of Private Architects/Consultants taking guidance from the "Manual for Procurement of Consultancy and Other Services 2022" issued by the Ministry of Finance and as amended from time to time. The document is available on website of Ministry of finance www.finmin.nic.in (Department of Expenditure).Engagement of consultant will be done by the T/S Authority with recorded reasons as per Financial Powers Delegated to CPWD Officers, by calling bids from empanelled Private Architects/ Consultants.

(Added vide OM no. DG/Manual 2022/02 dated 19.09.2022)

8.11 Engagement of Agencies for Preparation of Architectural Drawings

To expedite Architectural planning work, the T/S authority, as notified by the Directorate from time to time, shall have full powers to engage agencies to prepare architectural drawings, landscaping design/plans etc. as per the "Manual for Procurement of Consultancy and Other Services 2022" issued by the Ministry of Finance and as amended from time to time. Such expenditure shall be charged to Contingencies of work and is to be paid by the Engineer-in-Charge.

(Added vide OM no. DG/Manual 2022/02 dated 19.09.2022)

8.12 Checking of Drawings/Structural Design Prepared by Consultant

The structural design, E&M services design and drawings prepared by Consultant, shall be authenticated "Good for Construction" by AE, EE and TS authority even if it is proof checked by some other consultant, before issuing the drawings to contractor (except in case of EPC contracts). The technical proposal of the stream other than stream to which T/S Authority belongs should also be technically sanctioned by T/S Authority in consultation with Civil/Electrical counter-parts, as decided by his/her next superior authority.

All such "Good for Construction" Drawings/Design/Documents shall have a unique ERP generated identifier number called the ERP Drawing/Document Number or EDN through the Collaboration Tool of CPWD ERP as specified in para 5.17.3 (3) of CPWD Works Manual.

The "Good for Construction Drawings/ Design/Documents shall not be considered valid without EDN and without uploading and transmittal on ERP Collaboration Tool (whether prepared in-house or through consultants).

(Added vide OM no. DG/Manual 2022/03 dated 20.09.2022)

8.13 Consultancy Works to Government Organizations/Institutes

Consultancy work such as proof checking of structural design or original structural design of typical or special structure, assignment of specialized job requiring analysis of structures and soil investigation, Architectural/ Landscape Design consultancy work and seeking expert advice for retrofitting of buildings or third party quality audit (TPQA) of the work (as per request of the client) can be assigned to IITs, NITs, Govt. Engineering College, Central Building Research Institute (CBRI) and other central/state Govt. Institutes, without call of tenders

8.14 Estimates for Purchase, Repairs to Leased and Requisitioned Properties

For the estimates of purchase of built-up office accommodation for the Departments/Ministries of Govt. of India and for the estimates of repairs of buildings taken on rent/lease or on requisition by the Govt., **SOP No 8/4** may be referred.

8.15 Hiring of Accommodation

For hiring of all private accommodation required by any Civil Department of the Central Government at Delhi, the Executive Engineer (License Fee), CPWD, is the Chairman of the Hiring Committee, the other members being the concerned Assistant Director of Estates and Assistant Director (Finance), MoHUA. The detailed guidelines for hiring of accommodations and procedure for issuing the fair rent certificate are as given in **SOP 8/5**.

8.16 Departmental Charges for Fair Rent Certificate

DC for issue of fair rent certificate are as given in **SOP 8/6**.

8.17 Powers for Hiring Accommodation

The financial powers of hiring accommodation are as given in "Delegation of Financial Powers Rules" (DFPR). Executive Engineers, Superintending Engineers and Chief Engineers are competent to hire private accommodation for storage purposes, provided the expenditure is within the provision of the sanctioned estimate.

(Added vide OM no. DG/Manual 2022/02 dated 19.09.2022)

8.18 Valuation of Properties

Income tax authorities, Central Customs and Excise make references to the Income Tax Valuation cell which has encadared officers of CPWD for valuation of properties or for working out cost of construction etc. during assessment proceedings or for fixing the reserve price for disposal of confiscated properties. Similarly, other statutory bodies like CBI, ED etc. also refer to the Valuation unit in certain investigation matters. The guidelines and procedure to be followed for valuation of properties have been detailed out in the Guidelines for Valuation of Immovable Properties 2009 issued by Central Board of Direct Taxes (CBDT), Min. of finance which is available on the CPWD website www.cpwd.gov.in, in the publication domain for reference or as amended from time to time.

8.19 Levy of Fees by CPWD for Consultancy Services

Fees for providing Consultancy Services to be charged are given in **SOP 8/7**.

8.20 Weeding Out of Old Agreements

Old agreements shall be weeded out by a Committee constituted for the purpose. The guidelines on the Committee are given in **SOP 8/8**.

PART III MAINTENANCE WORKS

CHAPTER 9 GENERAL PROVISIONS

9.0 Introduction

As a service provider, CPWD carries out maintenance of buildings, roads, other structures, services etc. to keep the condition of all the existing structures and fixtures maintained in proper condition.

9.1 Classification of Maintenance Works in Existing Structures

The following categories of works are classified as Maintenance works:

- (1) Annual repair and maintenance works
- (2) Special repair works
- (3) Additions/Alterations works
- (4) Maintenance of residences of VIPs
- (5) Day to day repairs
- (6) Petty repair works
- (7) Up-gradation Work and Aesthetic improvements in existing buildings

As per GFR 2017 Rule 130, minor works which add capital value to existing assets but do not create new assets are to be treated as Original Works under Capital Head. The Engineer-in-Charge should accordingly pre-decide the classification of different kinds of maintenance works as above for the purpose of Estimate, booking of Expenditure and for exercise of financial powers for executing of the said work as given in the "Delegation of Financial Powers to CPWD Officers".

9.2 Client Satisfaction and Responsiveness

For customer user friendly complaint management system, a web-based portal and mobile app "CPWD Sewa" has been set up for registering complaints online. Details of all complaints received, disposed and the response time is managed by CPWD service centers. CPWD call centre has been set up to receive the complaints from users. Toll free numbers are 1800114499, 18002664499.

9.3 Mode of Execution of Maintenance Works

Maintenance works should usually be carried out in Comprehensive maintenance mode. In this mode, all the maintenance works pertaining to Civil, Electrical (excluding standalone operational works and specialized works) & horticulture works are carried out through a single agency by inviting composite tenders. The normal works of up-gradation, special repairs, addition and alteration of civil, E&M services and horticulture should also be clubbed in the composite tenders and executed under a single contract.

For the following cases, comprehensive maintenance may not be feasible hence other modes may be adopted:

9.3.1 Works through Departmental Labour

In this mode, day to day maintenance is carried out through departmental labour and the materials used for the work are issued from the maintenance store.

9.3.2 Works on Individual Contracts

This mode is used for execution of maintenance and repair works by call of tenders, where comprehensive maintenance is not resorted to.

9.3.3 Works on Work Orders

In emergent and urgent cases, this mode is used by collecting spot quotations in case of emergency and call of quotations in case of urgency, as the case may be. In case of exigencies, with recorded reasons, the urgent work may be executed by collecting spot quotations as per delegation of Financial Powers.

9.3.4 Petty Repairs

Petty maintenance and repair works upto Rs. 25000/- can be got executed by the Engineer-in-Charge at his discretion through hand receipts but at reasonable rates.

9.3.5 Annual Rate Contract System for Maintenance/ Minor Works

Annual Rate Contract System for Maintenance/Minor Works: This is suitable for repetitive nature of jobs which require immediate start and uniformity of rates, mainly for minor works. The works have to be planned in advance and a number of agencies for works in each colony should be fixed before the start of financial year. Normal A/R & M/O works, however, shall be dealt with under normal tendering system. The detailed procedure for calling Annual Rate Contract for maintenance/ minor works shall be followed is given in **SOP 9/1**.

9.4 Power to Undertake Maintenance Work

- (1) Power to undertake Maintenance Works is laid down in "Financial Powers Delegated to CPWD Officers".
- (2) The Officer shall have full powers to undertake works within his/ her powers to accord Technical sanction. However for maintenance of buildings that were not originally constructed by CPWD, and maintenance of mechanical/ electrical equipments that were not originally procured and installed by CPWD, maintenance works of such buildings and installations may be undertaken with prior approval of CE or SDG/ADG.
- (3) The Officer shall have full power within his/ her powers to accord Technical sanction for augmentation of electric power supply of the residence of VIPs up to maximum electrical load sanctioned for Ministers, Judges of Supreme Court /High court, Members of Parliament, Secretaries/Additional Secretaries & equivalent officers.

CHAPTER 10

PRELIMINARIES FOR MAINTENANCE WORKS

10.0 Principles and Procedures

The Preliminaries for "Maintenance work" are in consonance and analogous to the principles and procedure laid down for Construction works with the following exceptions as given in the under mentioned paras.

10.1 Annual Works Plan

Separate annual works plan for "Maintenance works" shall be prepared by the respective divisions of all disciplines (Civil, Electrical & Horticulture) in advance for finalization and approval by the CE or SE or any other authority as designated by the CPWD Directorate from time to time. The priorities of works should be decided based on the funds availability and urgency of the works. The PE/DE shall be prepared according to the approved annual works plan. In case of any work which is not included in the Plan, Executive Engineer may take up the work after taking approval from SE/CE/ any other authority as designated by the Directorate.

Tenders for maintenance works shall be invited by the Engineer-in-Charge separately for each subdivision or jointly for one or more subdivisions as per requirement.

10.2 Administrative Approval and Expenditure Sanction

The competent authority of the Administrative Ministry/Department/Client shall accord A/A & E/S on the basis of /Preliminary estimate/Detailed estimate.

In case of MoHUA budgetary works, no A/A & E/S is required for maintenance works undertaken from the budgeted works except for Addition & Alteration works for which excess up to 10% of the amount of the administrative approval may be authorized by officers of the CPWD, up to their respective powers of technical sanction.

10.3 Technical Sanction

Technical sanction is not required for general maintenance works. However, for works involving structural rehabilitation, Technical sanction shall be issued. The guidelines to prepare the Detailed Estimate shall be followed as per guidelines given in **SOP 3/3**.

10.4 Specialized Works

For Maintenance / Comprehensive Maintenance /Operation of Specialized nature E&M System including Lifts and HVAC, DG Sets, Fire Alarm System, Sub-Station and Wet Riser and Sprinkler System works, the guidelines as per **SOP 4/7** shall be followed.

10.5 Preparation of NIT

- (1) The estimated cost put to tender in the NIT shall be worked out based on DSR/market rates for general maintenance works similar to construction works. For works involving structural rehabilitation where Technical sanction has been issued, the estimated cost put to tender in the NIT shall be worked out based on the rates considered in the Technical sanction.

- (2) For guidelines on preparation of NIT for different modes of bidding system the relevant provision given in **SOP 4/8 & SOP 4/9** may be referred. The NIT approving authority may modify the NIT as per requirements and scope of Maintenance work.
- (3) In case of "Outsourcing of day to day maintenance along with Annual repair and maintenance work, and Special repair works". The period of comprehensive maintenance shall not be more than three years for GPRA/GPOA works. For other works, period will be kept as per Client's requirements and A/A & E/S.
- (4) In case of composite tenders of comprehensive maintenance and development works which are predominantly of horticulture nature and having horticulture component more than 50% of the total estimated cost but not exceeding Rs. 1.80 crore or as intimated by the CPWD Directorate from time to time, the tenders can only be called from the eligible enlisted horticulture contractors of appropriate class.

CHAPTER 11 MODES OF BIDDING SYSTEM

11.0 Principles and Procedures

The Mode of bidding system for “Maintenance works” is analogous with the Construction works.

CHAPTER 12 CONTRACT MANAGEMENT

12.0 Principles and Procedures

The contract management in Maintenance Works are in consonance and are analogous to the principles laid down for Construction works with the following exceptions.

12.1 Deviation on Tendered Amount

- (1) The completion cost of any maintenance work shall not exceed 2.0 times the tendered amount and 10% of the sanctioned cost for budgeted works. The Engineer-in-Charge shall record reasons for such deviation beyond the contract amount. Deviation upto 1.25 times of contract amount shall be approved by the Engineer-in-Charge with recorded reasons. Deviation beyond 1.25 times upto 1.50 times of contract amount shall be approved by SE/CE (as applicable) with recorded reasons. In exceptional cases, ADG/SDG (as applicable) shall have power to approve the deviation beyond 1.50 times upto 2.0 times of contract amount with recorded reasons and take suitable corrective action.
- (2) For Deposit works, works on letter of authorization and works of cabinet secretariat through CSSA (Cash Suspense settlement Account), completion cost shall not exceed the A/A & E/S amount without prior approval of the client and availability of funds.

CHAPTER 13 QUALITY ASSURANCE

13.0 Principles and Procedures

The Quality Assurance in Maintenance Works is in consonance and are analogous to the principles laid down for Construction works.

CHAPTER 14

STORES

14.0 Acquisition of Stores

Stipulation of material in contracts has since been stopped in CPWD works. However, in case of Procurement of Goods and Services Ministry of finance has circulated a document namely “Manual for Procurement of Goods 2022” and as amended from time to time. The T/S authority may decide the eligibility criteria & Terms and Conditions for purchase of material for departmental maintenance works or for contingent items by taking guidance from this document. The document is available on website of Ministry of finance www.finmin.nic.in (Department of Expenditure).

(Added vide OM no. DG/Manual 2022/02 dated 19.09.2022)

14.1 Procurement of Goods and Services through Govt. e-Market Place (GeM)

The Procurement of Goods and Services through GeM will be mandatory for Goods or Services available on GeM. The procuring authorities will certify the reasonability of rates. The GeM portal shall be utilized by the Government buyers for direct online purchases.

The financial powers for procurement of goods and service under GeM portal shall be as per delegated powers for purchase from open market through tenders given in “Financial Powers delegated to CPWD Officers”. The Rule 149 of GFR 2017 may be referred for purchases through GeM.

14.2 Procedure for Purchase of Materials through Tender/Quotations

Purchases costing upto Rs. Five thousand can be made through Hand receipt/Imprest/Cash. Such purchase shall not count towards annual ceiling of powers of purchase of materials. For purchase of goods, relevant provisions of GFR 2017 shall be followed.

Ministry of Finance has circulated a document namely “Manual for procurement of Goods 2022” and as amended from time to time. The Engineer-in-Charge may decide the eligibility criterion and terms and conditions for purchase of material by taking guidance from this document. The document is available on website of Ministry of finance www.finmin.nic.in (Department of Expenditure).

(Added vide OM no. DG/Manual 2022/02 dated 19.09.2022)

The financial powers for procurement of goods/materials through tenders/ quotations shall be as per delegated financial powers to CPWD officers for purchase from open market through tenders/ quotations.

14.3 Reserved Items and Preference to Medium and Small-Scale Industries (MSMEs)

Ministry of Micro, Small and Medium Enterprises (MSME) has notified Procurement Policy under section 11 of the Micro, Small and Medium Enterprises Development Act, 2006. The Policy shall be followed for procurement of goods.

14.4 Advance Payments

- (1) As per Rule 172 (1) of GFR 2017, ordinarily payments for services rendered or supplies made should be released only after the services have been rendered or supplies made. However advance payments may be made in following types of cases:-
 - (i) Advance payment demanded by firms holding maintenance contracts for servicing of Air- conditioners, computers, other costly equipments etc.
 - (ii) Advance payment demanded by firms against fabrication contracts, turnkey contracts etc.
- (2) Such advance payments should not exceed the following limits:-
 - (i) 30% of contract value to private firm.
 - (ii) 40% of contract value to a State or Central Government agency or a PSU; or
 - (iii) In case of maintenance contract, the amount should not exceed the amount payable for six months under the contract.
- (3) While making advance payment as above, adequate safeguards in form of bank guarantee etc. should be obtained from the firm.

14.5 Payment for the Supplies

All the stores (including those purchased through GeM) that are received are verified, and measurements and details thereof are to be recorded in the Measurement Book if the purchase is for specific work. Payments are to be made by the Executive Engineer on the basis of the entries recorded in the Measurement Book, according to the terms of the payment as finalized in the supply order.

14.5.1 Advance Payments for Purchase of Stores

The CPWD officers are authorized to make advance payments upto 90% to the firms for supply of stores upto the limit of their respective powers of acceptance of tenders as per "Financial Powers Delegated to CPWD Officers". The procedure for advance payments is given in **SOP 14/1**.

14.6 Insurance

14.6.1 General

The Government property, both movable and immovable, should not normally be insured. No subordinate authority, therefore, shall undertake any liability or incur any expenditure in connection with the insurance of such property without prior consent of the Ministry of Finance in the case of immovable property, and the Director General, CPWD in the case of movable property.

14.6.2 Inland Transit Insurance

In case of supply from GeM, supplier shall deliver the goods/ materials in good conditions. The supplier should be asked well in advance for insurance under intimation to GeM. In case of loss or damage to stores in transit where the stores have been insured by the supplier against such risks, he/she will take up the matter with the insurer which should invariably be a nationalized insurance company/corporation and recover the loss from them. The indenter will be responsible for payment of stores actually received by the consignee.

14.7 Receipt of Materials/Horticulture item, Plants etc.

All the materials (including horticulture materials, plants etc.) procured should be examined, counted or measured during its delivery and accounted for in the Material at Site (MAS) account register. For procedure refer **SOP 14/2**.

14.8 Safe Custody of Stores

The Assistant Engineer (Junior Engineer where no AE is available) is responsible to ensure that proper arrangements are made for the safe custody of stores and for their protection from deterioration and fire.

14.9 Transfer of Stock (excluding T & P) to Other Divisions/Departments

All articles of stocks (excluding tools and plants), that are not likely to be required during the following months, should be reported to the Engineer-in-Charge, who will issue necessary orders for their disposal or transfer to other Divisions.

14.10 Losses on Stores and their Write off

The relevant rules prescribed in GFR 2017 shall be followed while dealing with the cases of losses on stores and their write off.

14.11 Powers to Write Off

- (1) The powers of various authorities with regard to the sale, disposal and to write off stores are as given in "Financial Powers Delegated to CPWD Officers".
- (2) The authority issuing orders under "Financial Powers delegated to CPWD officers" should, after the disposal of stores of which value accounts are kept, determine and intimate to the Audit/Accounts Officer concerned the net amount to be written off to the final head (MH 2059 PW Minor Works-Losses on Stock).

14.12 Physical Verification of Stores

A physical verification of MAS account, Dismantled Material Account and T & P account should be undertaken by the authority who is next higher to the authority responsible for the custody of the stores. The verification should be carried out at least once in a year in the presence of the authority responsible for the custody of the stores or of a person deputed by him/her. A certificate of verification along with the findings shall be recorded in the registers. Discrepancies, including shortages, damages and unserviceable goods, if any, should be identified during verification and action for its disposal is to be taken. Report about required stocktaking and physical verification and certification thereof should be sent to the next higher authority for further action.

CHAPTER 15 MISCELLANEOUS

15.1 Dismantled Materials from Maintenance Works

- (1) Relevant para of Maintenance Manual may be referred to for disposal of dismantled materials arising out of maintenance works done through contracts.
- (2) In case of unserviceable dismantled materials of negligible or no salvage value arising out of departmental maintenance of works, such as electrical lamps and tubes, A.C. sheet ridges, PVC flooring, other PVC small fittings, broken vitreous china sanitary fixtures etc. may not be taken in the dismantled materials account, and these shall be disposed off by any suitable method by following GFR provisions. The Junior Engineer/Assistant Engineer/Executive Engineer shall exercise a check on the quantum of materials dismantled from their normal consumption pattern.
- (3) For other dismantled materials having salvage value arising out of such works, these should be accounted for in the Register of Dismantled Materials, and disposed off or re-used as the case may be.

15.2 Disposal of Unserviceable Stores/Dismantle Materials

- (1) The Engineer-in-Charge should not store for long the materials which are likely to deteriorate within a short time. In case the dismantled materials are not usable, they will be disposed off in every six months or in lesser intervals as per the quantity available. In other cases, the dismantled materials will be utilized first before use of new materials.
- (2) Similarly lot of Unserviceable/ Dismantled material is generated during the continuous maintenance process should not be stored for long and should be disposed immediately. Such Unserviceable Stores/ Dismantled material when stored for longer duration gets deteriorated and loses its worth. Hence, disposal of such Unserviceable/ Dismantled material shall be done immediately.
- (3) The powers to declare any surplus or unserviceable store, T & P and issue orders regarding the manner in which the particular stores/T & P declared as surplus or unserviceable are to be disposed off is given in "Financial Powers Delegated to CPWD Officers". This disposal can be either by e-auction or through sealed quotations or any other suitable method. Details for disposal of unserviceable stores/dismantle materials through e-auction are given in **SOP 8/3**.
- (4) If disposal of any surplus or obsolete or unserviceable item is not possible in spite of its attempts through auction, then it can be disposed off at its scrap value with the approval of the competent authority in consultation with finance division. In case the Department is unable to sell the item even at its scrap value, it may adopt any other mode of disposal including destruction of the item in an eco-friendly manner.

15.3 Register of Buildings

Every Division shall maintain a Register of Buildings and keep it upto date. The instructions regarding maintaining the Register of Buildings are given in **SOP 15/1**.

15.3.1 Safety of Buildings / Structures

All buildings / structures shall be inspected regularly to ensure that the buildings / structures are safe for use. The duties of various officers and procedure for inspection of buildings are given in **SOP 15/2**.

15.3.2 Demolition of Unsafe Buildings/ Structures

In case it is decided to demolish such unsafe buildings / structures, it should be survey reported and disposed off without land by auction under the powers vested in competent authorities as indicated in "Financial Powers Delegated to CPWD Officers". Prior approval shall be taken from the Directorate of Estates, MoHUA for demolition of GPRA/GPOA buildings which are in the records of DOE, MoHUA.

PART IV

CHAPTER 16

GREEN BUILDINGS AND SUSTAINABILITY MEASURES

16.0 General Guidelines

All new works will have the provisions of Green Buildings, Energy Efficiency, Sustainability Measures and Barrier Free Accessible constructions. It has been made mandatory that new projects undertaken by CPWD costing Rs. 50 crore and above shall be at least Green Level Certification of GHAR based on CPWD Green Rating Manual- 2021. Guidelines and norms for Green Buildings, Sustainability Measures, Pollution Control and Barrier Free accessibility issued by MoHUA and CPWD from time to time shall be followed which are available on CPWD website www.cpwd.gov.in

16.1 Use of New and Emerging Technologies in CPWD Works

New and Emerging technologies are to be used for all works undertaken by CPWD irrespective of project costs and locations. In this connection directions have been issued by the MoHUA and CPWD Directorate from time to time which are to be followed. Any one of such technology can be adopted in the works. In case, it is not being implemented, exemption will be obtained from DG, CPWD.

16.2 Use of Recycled C & D Waste Material and Products

In order to encourage Green and Sustainable Development measures, MoHUA and the CPWD Directorate have issued directions for use of recycled C & D Waste material in CPWD works, subject to quality control, meeting relevant standards and specifications and feasibility for its use. Suitable clauses and items of recycled products are to be incorporated in the contract document by the NIT approving authority as per directions issued by the CPWD Directorate from time to time which are uploaded on CPWD web site www.cpwd.gov.in

16.3 Use of Fly Ash Bricks/Blocks from Recycled C & D Waste/AAC Blocks

Fly ash bricks/blocks from recycled C & D waste/ AAC blocks are to be used mandatorily in masonry work for non structural members in place of burnt clay bricks for works in Delhi NCR, Mumbai, Chennai, Kolkata, Bangalore, Hyderabad, Ahmedabad and Surat. The Fly ash bricks/blocks from C & D waste/ AAC blocks will be used in order of preference, for buildings of height less than 15 mtrs. For buildings having height more than 15 mtrs, AAC blocks shall be used. In other places where such materials are available, these should be used in the works as per feasibility. Directions issued by the CPWD Directorate from time to time are uploaded on CPWD web site www.cpwd.gov.in and shall be followed.

16.4 Control of Pollution due to Construction Activities

All works shall have provisions of pollution control caused by construction and demolition activities, concrete batch mixing plants and dust from various activities. Guidelines and directions have been issued in this regard from time to time by the MoEF/ MoHUA/ CPWD Directorate which are available on CPWD website and are to be followed.

16.5 Skill India Policy

In order to encourage Skill India Policy of the government, for works costing more than Rs. 50 Crore and upto Rs. 100 Crore or as decided from time to time by the Directorate, necessary onsite training shall be imparted to at least 10% of the unskilled workers engaged in the project as per National Skill Development Corporation (NSDC) norms. For works costing more than 100 crore, training shall be imparted to 20% of the unskilled labour. Suitable provisions are to be made in the contract by the NIT approving authority as per directions issued by the Directorate from time to time and uploaded on CPWD website.

16.6 Public Procurement (Preference to Make in India) Policy

To encourage Make in India and promote manufacturing and production of goods and services in India with a view to enhancing income and employment, the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, pursuant to Rule 153(iii) of the GFR 2017, have issued orders for procurement through local suppliers. As per the provisions of these orders, purchase preference shall be given to local suppliers in all procurements undertaken by procuring entities in the manner specified in the said orders. Guidelines/orders/notifications related to Public Procurement Policy have also been issued by M/o Finance, Deptt. of Expenditure, M/o Electronics and IT, CVC etc. CPWD Directorate has been issuing directions for compliance of the said orders and their inclusion in the tender conditions. The same are uploaded on the CPWD Website and are to be followed.



सत्यमेव जयते

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