

## APPENDIX XXIII.

## RULES FOR REGISTRATION OF CONTRACTORS FOR GOVERNMENT WORKS.

**Rule 1.**—No contractor shall normally be allowed to undertake Government works either in the Public Works Department or in the Highways and Rural Works Department of the Tamil Nadu State including the construction branch of the Industries Department unless he is registered as a contractor in the department concerned according to the rules hereunder.

**NOTE.**—Interested ayacutdars and beneficiaries proposed to be entrusted with local works involving no high technical skill shall be examined from such registration, for works up to Rs. 10,000 in the case of Irrigation and Rs. 5,000 in the case of building or road works.

**Rule 2:—Application for Registration**—A contractor shall first apply for registration in the prescribed form annexed to these rules to the appropriate authority viz., the Executive Engineer or the Superintending Engineer of the Public Works Department in charge of the regular or special Divisions and Circles or the Divisional Engineer or the Superintending Engineer of the Highways and Rurals Works Department or the Executive Engineer or the Superintending Engineer construction Branch of the Industries Department, as the case may with reference to the class and jurisdiction of works for which he is eligible under rules 3 and 4.

**Rule 3.—Classification of contractors**—A contractor who has applied for registration to any one of the Registration authorities shall be classified under the following heads according to his normal financial capacity.

Class	I	above	Rs. 10 lakhe
Class	IA	up to	Rs. 10 lakhs
Class	II	up to	Rs. 5 lakhs
Class	III	up to	Rs. 2 lakhs
Class	IV	up to	Rs. 40,000
Class	V	up to	Rs. 10,000

Before awarding contracts costing over Rs. 10 lakhs to a Class I Contractor his financial capacity shall be specially enquired into every time.

**Rule 4: Fees for Application and registration** —1. Normally contractors of Class I, I-A, and II will be registered for works throughout the State, Class III for a Public Works Circle, Classes IV to V for P. W. D. Division.

2. The Executive Engineer of the Public Works Department or the Divisional Engineer of the Highways and Rural Works Department of the Executive Engineer or the Industries Department Shall register contractors for works in their jurisdiction.

3. The Superintending Engineer of the Public Works Department or the Highways and Rural Works Department or the constructions branch of the industries department shall register contractors for works either in his circle or for works pertaining to the department throughout the state.

4. Every application for registration shall be accompanied by a chalan for Rs. 2 towards application fee in case of registration for the division, Rs. 5 in case of registration for circle and Rs. 10 in case of registration for the State. The application fee will not be refunded under any circumstances. The amount shall be remitted into the Government Treasury under the head "059 Public Works—(d)

—other receipts; 03 Miscellaneous—(i) Miscellaneous receipts. Application fee for registration as contractor in *Public Works Department*”, or under the head “137, *Roads and Bridges* (b) other receipts—05. Miscellaneous (iii) other receipts—*Application fee for registration as contractor in Highways and Rural Works Department*”, or under the head “121—*Village and Small Industries*—(i) other receipts 01. *Miscellaneous receipts*, Application fee for registration as contractor in the construction branch of the *Industries Department*”, as the case may be; and

5. Another chalan for Rs. 25 in case of registration for the division, Rs. 50 in case of registration for the Circle and Rs. 100 in case of registration for the State shall be remitted into the treasury under the head “059. *Public Works* (d) *Other receipts* 03, *Miscellaneous*—(i) *Miscellaneous receipts* registration fee for registration as contractor in *Public Works Department*” or under the head “137, *Roads and Bridges*—(b) *Other Receipts*—05. *Miscellaneous*—(iii) *other receipts*—*Registration fee for registration as contractor in Highways and rural Works Department*, or under the head “121 *Village and Small Industries* (i) *other receipts*—01. *Miscellaneous receipts*—*Registration fee for registration as contractor in the construction branch of the Industries Department*” as the case may be to the credit of the appropriate registering authority within 15 days of the receipt of intimation of the approval of his application by the registering authority and the chalan sent to the registering authority.

**Rule 5: Considering of application :—**The Divisional Officer or the Circle Officer shall have such enquiries made in connection with the application as he considers necessary and call for any further particulars from the applicants before finally disposing of the application.

The applicant shall provide necessary facilities for verification of particulars in the application by the enquiry officer.

**Rule 6—Rejection of application :—**The appropriate registering authority shall have full powers to reject any application for registration but before doing so it shall issue a show cause notice to the applicant setting out briefly the reasons for the proposed rejection and giving him seven days time to make any representation. The said authority shall then proceed to pass orders after taking into consideration any representation that may be received within the aforesaid period. The order shall contain brief statement of the reasons for the rejection of the application.

**Rule 7 : Approval of application and Registration —**In the case of application which is found to be satisfactory the Officer accepting the application shall intimate the applicant in writing the fact of his application having been accepted giving him the class, area and other particulars as may be fixed by rules .

2. The applicant within 15 days of the receipt of information, shall remit into the Government Treasury the prescribed fee for registration to the credit of the intimating Officer as indicated in sub-rule 5 of rule 4 above and send the chalan to the Officer accepting the application. The Officer, on the receipt of the chalan shall finally enlist the applicant in the register of contractor and inform the applicant accordingly.

3. The registration fees will not be refunded under any circumstances to the registered contractor.

4. The Registration Officer shall be required to intimate the Officers of the Departments about the registration of the contractors for their information.

**Rule 8: Registration for Special Divisions and Circles.**—The registration of a contractor for works in a division or a Circle of one Department (Public Works Department or Highways and Rural Works Department) or the construction branch of the Industries Department) is on a territorial basis and as such separate registration is not necessary in a special division or special circle of the same department for taking up works lying the territorial area covered by the first registration. For taking up special works in places outside the area of his registration, the contractor should get himself registered in special division or special circle in charge of the special work.

**Rule 9: Application of registration over territorial regions of other Departments:**—(1) Contractors will be registered separately under each department (Public Works Department or Highways and Rural Works Department or the construction Branch of the Industries Department) Registration in one department will not be taken note of by the other departments except to the following extent :

(a) Contractor registered for works in the territorial Unit of Division or Circle of the Public Works Department may without further registration fee, register himself for taking up works in one Division or one Circle of the Highways and Rural Works Department or the Construction branch of the Industries Department if found suitable, provided there is overlapping of territorial area of registration at the corresponding level. This arrangements shall be mutual between the Public Works Department and the Highways and Rural Works Department and the construction branch of the Industries Department.

(9) (1) (b)—A contractor registered for works in a territorial unit of a division or a Circle of the Technical Education Department Public Health Engineering and Municipal Works Department, Railways, Tamil Nadu Electricity Board, Central Public Works Department, Local Bodies of the Tamil Nadu State and other Tamil Nadu State Government Department, may register himself, after paying the registration fee for taking up works in this Public Works Department in the appropriate classes of registration according to the rules in force, if found suitable provided there is overlapping of territorial area of registration at corresponding level.

9. (1) (c) Contractors may register themselves in more than one territorial unit of Division or a Circle of the same department after payment of the requisite application and registration fees in each case. However registration in a particular territorial unit shall not entitle him for registration in another territorial unit of the same department as a matter of right.

9 (2) Supply of tender schedule to registered contractors to tender for works in the Public Works Department.

In accordance with the orders in force, contractors registered in the Public Works Department shall be eligible to obtain tender schedule and to tender for works in the Public Works Department.

“Contractors registered in Highways and Rural Works Department Construction Branch of Industries Department/Technical Education/Public Health Engineering and Municipal Works Department/Railways/Military Engineering Service/Central Public Works Department/Local Bodies/other Departments of Tamil Nadu Government shall also be eligible to obtain tender schedules and to tender for works in the Public Works Department

**Rule 10 : Demotion, Reinstatement etc.**—The Contractor's application for a higher classification or sanction for re-instatements to original classification in the case of a demoted contractor, or resumption to the original category after removal of or suspension shall be made a fresh for registration in the particular grade and the application shall be considered on its merits.

**Rule 11 : Demotion:**—Provision for the demotion of a contractor to a lower class exists in the Standardised code for enlistment/blacklisting of works contractors issued by Government. This provision will apply in regard to demotion. The registering authorities should comply with the procedure prescribed therein.

**Rule 12 : Removal of the name of the contractor from the Register.**—(a) Provision for the removal of a contractor's name from the approved list is contained in the Standardised Code for enlistment/Blacklisting of work contractors issued by the Government in their secret Memorandum No. S/3222/15-58, Public (SC.) dated 11th May 1960 and W8/2596-7/76, dated 30th June 1977—

(b) Removal of a name from registration office does not necessarily imply removal of the name from the other registers: but the fact of removal from any register shall be entered in the registers of all offices which have registered the name in their registers. Such Officers, if they so desire, can also without further enquiry remove the name of the contractor from their register.

**B. Blacklisting**—(a) Blacklisting is a punishment which is distinct from the other forms of punishment viz., demotion, removal from the approved list, and suspension of business.

(b) Since it is an extreme punishment involving cessation of business dealing by all departments of the Government, both State and Central, only the Government are authorised to issue blacklisting orders.

(c) The standard code for the Enlistment/Blacklisting of works contractors, issued by the Government in their Memo. No. S. 3222-15/58 Public (SC.) dated 11th May 1960 and W8/2596-7/76, dated 30th June 1977, provides for blacklisting of contractor for specific reasons and registering authorities should comply strictly with the procedure prescribed therein. The above provision apply for the removal of the name of the contractor from the register.

**Rule 13.—Reinstatement of contractors.**—A contractor whose name has been removed from the register once may for valid reasons be reinstated after a period of one year by the authority competent to remove him from the register, with the prior approval of the next higher authority. Provision for the upgrading of a "Demoted" contractor lifting the ban on business etc., is contained in the standardised code for the enlistment/blacklisting of works contractors issued by Government. This provision will apply for reinstatement of contractors.

**Rule 14. General**—Income tax and sale tax clearance certificate shall be furnished to the authority or authorities with whom the contractor is registered, failing which the contractor shall be liable to be prevented from tendering for works till such times as the certificates are furnished inspite of the registration

**Rule 15.**—No contractor shall be permitted to get himself registered under more than one name in the same territorial area.

## ANNEXURE.

## FORM 1.

*Form of application.*

From \_\_\_\_\_ Department  
 To \_\_\_\_\_  
 The Executive Superintending Engineer,  
 Sir,

I herewith submit my application for registering my name in your register of Contractors in Classification \_\_\_\_\_ for works in State/Circle/Division \_\_\_\_\_

A chalan for Rs. 10, Rs. 5, Rs. 2, towards application fees for registration of contractors is enclosed.

Signature of the applicant.

Enc :—Chalan for Rs.

- Details of the Firm's Certificates.
- Details of Machinery etc.,
- List of works under taken in the past.

## FORM 2.

I. *General.*

## 1. Name of the applicant.—

(State whether the registration sought for is for an individual or joint Stock Company or undivided Hindu Family or registered partnership firm. If a corporate firm, the name of the partners together with details of financial and other business interests of the partners should be separately furnished (attested copies of Articles of Association of Partnership deeds etc., to be enclosed). If a joint Stock Company, the name of the Director(s) should be furnished.

2. Name of the Registered office of the individual or company and place of business.

3. Permanent address to which all communications should be sent.

4. Does the individual or company do any business other than the contract work or supplies ?

5. Name of the Treasury in which the prescribed fees have been remitted (the number and date of chalan to be furnished).

6. Has the applicant applied previously for registration and if so with what result ?

7. Has the applicant or any one of his partners been *removed* from the list of contractors or blacklisted any where at any time ? And if so, for what reasons (here give full details.)

8. Class and territorial unit in which enlistment is sought.

9. Has the applicant registered himself as a contractor with any other registering Officer to this and other Departments. If so, full details to be furnished.

### II. *Details of experience.*

10. Whether the applicant is a shareholder or partner of any firm already registered in the department.

11. Is the applicant or any of the partners or shareholders of his firm or any employee, of his firm a Government Servant (past or present) of this Department? If so, particulars to be furnished.

12. The nature of work the applicant propose to undertake (whether road works, building works, Public Health Works, Irrigation Works, Civil Works of the Electricity of the Public Works Department) etc.,

13. Experience of the applicant in the line (testimonials if any and list of works with total value should be separately enclosed.)

### III. *Technical personnel and resources.*

14. Name or names of technically qualified and other persons employed together with their qualifications and experience.

15. Does the applicant maintain an office for preparing designs drawings, estimates, tender documents, bills etc.,

16. Does the applicant own a workshop for structural fabrication work and if so, furnish details thereof.

17. State particulars of construction machinery and tools and plant owned by the applicant.

18. Does the applicant own a plumbing or any other licence connected with his business.

19. Name or names of the banker(s) with whom the applicant maintains accounts.

20. Name of the persons holding the power of attorney in the case of partnership firm.

21. Paid up capital and dividend declared if a joint company.

22. Average cash deposits during the last one year (Certificate of the bank to produced).
23. Value of property owned (A certificate to be produced from the Revenue Department.
24. Name and designation of the Officer of the Revenue Department (Person) ssuing the property certificate.
25. Whether the applicant has enclosed the Income-tax verification certificate and Sales-Tax Clearance Certificate.
26. Annual turn-over of the applicant.
27. Money limits of contractors upto which the applicant will be able to undertake work.

I/We declare that the particulars furnished above are true to the best of my/our knowledge.

Signature of the Applicant.

Place :

Date :

Seal of the Company in the case of a firm

*Special Instruction to the Applicant.*

1. Complete particulars should be furnished against each tem.
2. Applications received without the treasury receipt specified in rule 4 of the rules for registration of Contractors and other documents will not be considered.
3. A copy of the rules for registration can be had from any Circle, Division or Sub-Division Office on payment of cash.