

Chapter – 3

Powers and Duties of Officers and Employees

INFORMATION PUBLISHED BY THE DEPARTMENT

UNDER SUB-CLAUSE (ii) OF SECTION 4(1)(b) OF THE RTI ACT, 2005

ii. POWERS AND DUTIES OF OFFICERS AND EMPLOYEES

Director General

Subsequent to the formation of office of the Director General, Highways vide GO Ms No. 185, Highways and Minor Ports Department dated 24.05.2010 and GO Ms No. 225, Highways and Minor Ports Department dated 02.07.2010, in Government letter no. 9803/ HK3/09-1 dated 06.07.2010, the responsibilities of the Director General, Highways Department are as given below:

1. Overall administration of all the officers and employees
2. Coordination of works between all the wings and proposing recommendations to the Government to improve the Department's functions
3. Heading all the Technical Committees
4. Coordinating and compiling quality control reports of all the wings and forwarding the reports to the Government
5. Scrutinizing the proposals from all the wings and forwarding to Government with necessary recommendations.
6. Compiling all the progress reports and periodicals from all the wings and forwarding to Government.
7. Coordinating and Maintaining Road Management System (RMS) and Road Accident Data Management System (RADMS)
8. Other works as and when entrusted by Government.

** as per paragraphs 5 to 59 of Tamil nadu Highways Mannual Volume-IV part-1*

DUTIES OF OFFICERS OF THE HIGHWAYS DEPARTMENT

1. Chief Engineer

5 The Chief Engineer (Highways) is the administrative and technical head of the Highways Department and is responsible to Government for the efficient working of the department. He is the professional adviser of Government in all matters relating to the department.

6 It is the duty of the Chief Engineer to recommend to the State Government appointment of all gazetted officers of the department, postings, transfers and removals of Superintending Engineers and Divisional Engineers including Deputy Chief Engineer. All postings and transfers of officers of the Tamil Nadu Highways Engineering Service to Divisional and Circle charges will be made by Government. The Chief Engineer is competent to post and transfer Asst. Divisional. Engineers within the State. He has also powers to transfer the members of the Highways Engineering Subordinate Service from one circle to another or from one circle to the office of the Chief Engineer or vice versa.

7 The Chief Engineer has powers to censure Assistant Divisional Engineer to appoint and dismiss Assistant Engineers and Junior Engineers as well as Head Draughtsman, Personal Assistants and Superintendents in his office. He has powers to transfer members in the categories of clerks and typists and members of other subordinate service from the Chief Engineer's office to a circle and vice versa or from one circle to another subject to the provisions in rule 20 of the Tamil Nadu Ministerial Service Rules and rule 7 of the Rules relating to Class XXII of the Tamil Nadu General Subordinate Service. He is empowered to appoint, transfer within the State and dismiss Divisional Accountants of the Highways Department.

8 The Chief Engineer will exercise control, over the duties of the officers of the department in connection with the maintenance of accounts and will give all legitimate support to the Audit officer in enforcing strict attention to the regulations concerning the disbursement of money, the custody of stores and the submission of accounts. He will have no authority over the Audit Officer in regard to Audit matters, but will have a claim on him for assistance and advice on matters relating to accounts and finance. At the same time, the Chief Engineer should arrange that the Audit Officer is kept fully cognizant of all proceedings and proposals to enable the latter fulfill his functions.

9 The Chief Engineer will prepare annually the portion of budget estimate relating to works under his control. It will be his duty to administer the grant and to keep a close watch over the progress of expenditure against the grant with a view to seeing that no excess is permitted to occur and that if additional funds are necessary, application for the same is made. It will be further his duty to see that the grant is fully expended in so far as is consistent with general economy and that the money that is not likely to be needed during the year is promptly surrendered so as to allow of its appropriation for other purposes by the proper authority.

10 The Chief Engineer will prepare as soon as possible after the close of each year a report of the progress made during the period on works under his charge giving a brief but clear account of the operations of the department.

11 The Chief Engineer may correspond direct with the heads of departments on all matters relating to the Department. When any Military works are placed under the administration of the Highways Department, questions relating to Military details

will be referred by the Chief Engineer to the General Officers Commanding Divisions or Brigades.

12 The Chief Engineer will exercise general control over the officers of his office and ensure its efficient working. In the exercise of this function, he is assisted by the Deputy Chief Engineer and in accounts and financial matters by the Accounts Officer.

The Chief Engineer should inspect annually the circle office and review in detail the reports of inspection of the division offices by the Superintending Engineers. A set of items on which remarks should be made in the notes of inspection of the Offices of the Superintending Engineer by the Chief Engineer is contained in Appendix 3 of this Manual. Copy of the inspection report should be submitted to Government by the 20th of the month succeeding the inspection. He should also review the inspection reports of Division Offices by the Superintending Engineer and forward his reviews on each report to Government.

Note : The procedure for the inspection, etc., of the works of the Corporation of Madras financed from State funds is contained in Appendix 7.

13 The Chief Engineer is responsible for all important structural designs. Responsibility for the technical features of all designs rests with the office of their origin.

II. Superintending Engineer

14 The administrative unit of the department is the circle, in charge of a Superintending Engineer, who is responsible to the Chief Engineer for the administration and general professional control of works in charge of officers of the department within his circle.

15 It is the duty of the Superintending Engineer to inspect the important works in his circle, to satisfy himself that the system of management is efficient and economical, that the regulations as regards works, stock and accounts are strictly observed, and that the executive and administrative work of the circle is satisfactorily performed.

Whenever large construction work is sanctioned in a circle for which no special staff is allowed, the Superintending Engineer may with a view to avoid delay, detach one or two subordinates from within his circle for some definite period and put them

to the work in question. In other words, there should be some elasticity in the sectional and sub divisional charges and the Superintending Engineer should not hesitate to call upon the services of one or two officers under him for such special works. They should freely resort to these methods in order to accelerate construction work.

Note (i) : The Superintending Engineer (Highways and Rural Works) shall periodically review the progress of all important works in his circle and make a report to the Chief Engineer (Highways & Rural Works). Such a review shall be at intervals of six months, reckoning from the date of commencement of work.

Note (ii) : In the report of review referred to in note (i) above, the Superintending Engineer (Highways and Rural works) shall invariably state whether a revised estimate is necessary or not and whether the work under review is executed economically and in accordance with the rules and in any case where revised estimate is necessary, the steps taken for its preparation and submission for obtaining the Revised Administrative approval of the competent authority in time.

(G.O. Ms. No.1232, P.W. dated (11-7-1972))

16 It will be his duty to watch and control the rates paid for work and he may require a Divisional Engineer, to report to him such details of expenditure as he may desire.

17 It is his duty to satisfy himself that the staff employed is actually necessary and adequate, and that the divisional and sub divisional officers attend personally to their primary accounts. He will inspect each divisional office once a year during the period April to October and report thereon to the Chief Engineer. The questionnaire to be answered for the inspection of the Divisional Offices by the Superintending Engineer is contained in Appendix 4.

18 The Audit Officer concerned, that is the Accountant-General, and Superintending Engineer should assist each other in rendering the management of the departmental accounts as perfect as possible. To this end, during his inspection of divisional offices, the Superintending Engineer will examine the divisional registers and other account and measurement books, the mode of preparation of estimates, contractor's accounts, the system of recording plans and papers and office work generally. He is expected to communicate freely and personally with Divisional Engineers and to advise them in performance of their duties.

19 The Superintending Engineers are empowered to transfer and post Asst. Divisional. Engineers, and all other executive subordinates within their circles. In the case of office and petty establishment borne on divisional scales, it should be seen that these scales are not exceeded without proper authority. It will also be their duty to recommend removals and transfers of Divisional Engineers, Asst. Divisional. Engineers and subordinate Engineers, from their own circles.

20 All reports on Engineer and subordinate establishment will be noted on by the Superintending Engineer before submission to the Chief Engineer. He will bring to the notice of the Chief Engineer cases of incompetence or disqualification for public duties. In like manner he will bring prominently forward all instances of extraordinary zeal and ability.

21. He will have power to appoint, dismiss and control the drawing and the ministerial staff of the circle and the members of the last grade service of his office. Appeals will lie from any order of punishment passed by Superintending Engineer to the Chief Engineer.

22 The Superintending Engineer should generally prepare designs and have detailed plans & estimates prepared in his office for all original works and improvements likely to cost more than 1 Lakh where the Superintending Engineer could not undertake the preparation of estimates without being supplied by the Divisional Engineer with an amount of data which would make it more convenient if the latter himself prepared the plans and estimates in questing, the Divisional Engineer should prepare them. The Superintending Engineer will be responsible for the engineering features of all designs prepared by him; his personal assistant will be responsible for the calculations and for the accuracy of the rates. When submitting to the Chief Engineer, any report, design or estimate, the Superintending Engineer will invariably state his own opinion and recommendations.

Note 1 : In respect of designs plans and estimates pertaining to bridges, these will be finalised by the Divisional Engineer, Designs office and sanctioned by the competent authority according to the orders issued by the Chief Engineer from time to time.

Note 2 : The rules governing the duties of the Superintending Engineer in regard to technical sanction to estimates, inspection and test check of municipal and panchayat works are contained in Appendix 7.

23. The Superintending Engineer should generally supervise and control the correct assessment and realization such revenue as is assessed or collected in the Highways & Rural Works Department.

24. A Superintending Engineer is authorized to correspond direct with any of the local authorities, civil or military, within his circle. He will address General Officers Commanding Divisions or Brigades through their staff Officers and all other officers direct.

24. A. The Superintending Engineers are empowered to condemn old bicycles and sanction the purchase of bicycles in place of the condemned ones for use in their offices as well as in the subordinate offices under their control subject to a maximum of Rs.500/- for each office”.

(G. O. Rt No. 123, Public Works dated 29-1-1970)

III Accounts Officer

25. As a separate Highways Department was formed in view of the magnitude of expenditure incurred on communications the transactions of the department demand an effective system of internal administrative check conducted by a senior Accounts Officer to ensure that the accounts are faithfully kept and made readily available. An Accounts Officer is therefore appointed to be in charge of the Central Accounts Office.

26. The Accounts officer shall be a Gazetted Officer with sound experience of accounts and administrative office control. He is in charge of the whole organization for the central compilation and internal audit of the accounts of the Highways & Rural Works Department and will be responsible for its efficient working.

27. His main functions are broadly classified below:

- (i) Financial Adviser to the Chief Engineer(Highways).
- (ii) Compilation from the divisional accounts received by him in to a consolidated account for the department for submission to the Accountant-General.
- (iii) Internal audit of the transactions appearing in the divisional accounts.

28. The Accounts Officer while being under the administrative control of the Chief Engineer Highways & Rural Works renders the compiled accounts direct to the Accountant - General acting on his instruction in all accounts and audit matters. He will also be under the general supervision and control of the Finance Department, subject to orders in G.O.Ms.No.287, Finance, dated 5th April 1946.

29. He will have full administrative control over the staff in the Central Accounts Office and the Divisional Accountants subject to such orders or limitations as imposed by the Chief Engineer (Highways & Rural Works)

30. The Accounts Officer is authorized to correspond direct with the Divisional Engineer in matters relating to works accounts. In other matters and in correspondence with the Superintending engineers, he acts under the orders of the Chief Engineer as his Financial Assistant.

31. The duties of the Accounts Officer will be :

(i) To supervise and be responsible for the compilation of a consolidated monthly account for the department as whole from the monthly accounts rendered to him by the Divisional Engineer and submitting the accounts to the Accountant General as prescribed by him from time to time.

(ii) To supervise and be responsible for the internal audit of the accounts and paid vouchers on the same lines as those prescribed in the Highways and Rural

Works Internal Audit Manual and circulars issued by the Accountant - General from time to time.

(iii) To furnish to the Accountant - General the necessary material for preparing the Appropriation Accounts relating to the grant of the Highways Department.

(iv) To furnish expenditure figures relating to works required for the preparation of the budget estimates, and offer remarks and suggestions on the budget estimates in final shape framed by the Chief Engineer's Office: and

(v) To advise on all estimates to be sanctioned and contracts to be accepted by the Chief Engineer (Highways) and all important questions which have a bearing on the finances of the department referred to him by the Chief Engineer.

32. He will be responsible for the efficient working of all the sections of the Central Accounts Office dealing with the compilation and auditing of the monthly accounts rendered by the Divisional Engineers. He will co-ordinate the work of these sections and satisfy himself that the Divisional Engineers. Render the monthly accounts promptly, that these accounts are checked and compiled as a whole for the department and a consolidated monthly account prepared correctly.

33. He will be responsible for the punctual rendering of the prescribed accounts and returns of the department to the Accountant General, Tamilnadu and for the audit of the Divisional Accounts and paid vouchers in accordance with the rules and instructions in force.

“Note : The extent of responsibility for the audit of the accounts of Divisional Engineers attached to the Internal Audit Assistants, Internal Audit Superintendents and the Accounts Officer are more fully described in the Internal Audit Manual”

34. He will be responsible for seeing that all the prescribed registers, objection books and broad sheets etc, are maintained and kept posted up to date and arrange to make available to the Test audit staff of the Accountant - General whenever necessary, such accounts, documents etc., as will be required by them.

35. The Accounts Officer's work will be chiefly confined to Government works and he will offer his suggestions in respect of matters which may be referred to him by the Chief Engineers.

36. The Accounts Officer and the Divisional Engineer will assist each other in rendering the management of accounts as perfect as possible. He is expected to communicate freely and personally with the concerned officers and advise them in the performance of their accounting duties.

37. During his visits to the Division Offices, he should satisfy himself that the prescribed regulations as regard works, stock and accounts are strictly observed and report to the Chief Engineer suggesting any possible economies. He will also review the work of the Divisional Accountant to see if he discharges his duties with efficiency.

IV Divisional Engineer

38. The executive unit of the department is the Division in charge of a Divisional Engineer who is responsible to the Superintending Engineer for the execution and management of all works within his Division.

Note : The Divisional Engineer is responsible for the exact performance of all duties connected with the works under his charge and for the good quality of all work done under his orders.

The employment of contractors for any work in no way relieves the Engineer of responsibility as to the manner and time in which the work is done. Contracts should give the Engineer full power to take remedial action in cases in which the contractor delays or fails to do the work to his satisfaction.

The Divisional Engineer should inspect the works in his jurisdiction as often as he can. He should inspect each subdivision office under his charge at least once every year the inspection being more frequent where laxity is known or suspected. Whether the Sub-Division is a special one or regular one.

His inspection of the work of his subdivision offices will include an examination of their original accounts, of the cash balances in their hands and a check of measurements taken by them. Any serious irregularities observed at the time of inspection should be immediately brought to notice for orders.

The questionnaire for his guidance is contained in Appendix 4 (ii)

39. A Divisional Engineer can receive positive orders only from his own departmental superiors, the head of the administration or other Civil Officers duly authorized. In the case of works considered urgent an officer commanding a station can in the circumstances explained in the Army Regulation of India, issue an order to the Divisional Engineer for the execution of works.

40. The Divisional Engineer is responsible that proper measures are taken to preserve all the buildings and works in his division and to prevent encroachment on lands and roads in his charge. He must keep accurate plans of all roads and lands borne on the registers of the Highways & Rural Works Department and ensure that his subordinates are acquainted with the boundaries.

41. The Divisional Engineer should insist on periodical inspections of all vacant lands and road margins in his charge being made by his subordinates in proper time with a view to prevent encroachments thereon. It should be seen that encroachments do not occur or that they are rapidly detected and reported to the Revenue Department.

All lands should be demarcated, wherever it has not been done, and this work should be carried out by the subordinates of the Highways & Rural works Department

in consultation with the officers of the Revenue Department. Instructions for the control of encroachments are contained in Appendix 6 in respect of Government and other properties.

42. The Divisional Engineer should immediately report to the Chief Engineer through the Superintending Engineer any serious loss of immovable property caused by any accident or unusual occurrence as required by Article 299 of the Tamilnadu Financial Code, Volume I. All interruptions of large works in progress should be immediately reported to the Superintending Engineer, the causes and the probable duration of such interruptions being duly explained. All unusual losses in the manufacture of materials must, on their occurrence, be reported to the Superintending Engineer.

43. The Divisional Engineer, wherever necessary may transfer Junior Engineers, Assistant Engineers from one station to another within their division. The transfer will be reported in the ordinary Course to the Superintending Engineer and Chief Engineer. He is responsible for technical sanctions to estimates, inspection and test check or check measurement of municipal and panchayat works as prescribed in the statutory rules of the local bodies concerned- vide Appendix 7.

44. A Divisional Engineer is prohibited from commencing any work or expending any public funds without the sanction of the competent authority or from making any other than trifling deviation from sanctioned designs in the course of execution, except in cases of emergency.

45. Immediately on a work being finished, it will be the duty of the Divisional Engineer to close the accounts of it and to prepare the completion report if required by the rules in paragraph 203.

46. The Divisional Engineer will submit his accounts punctually to the Central Accounts Office, according to the rules in force and will exercise control over his Divisional Accountant. The Divisional Engineer is responsible for the correctness of the original records of cash and stores, receipts and expenditure and for the submission of complete vouchers. The Divisional Accountant is responsible for the correct compilation of the Accounts from the data supplied to him.

47. The Divisional Engineer is responsible that the prescribed accounts are maintained properly and without permitting the accumulation of arrears. If arrears or confusion arise, which, in his opinion, cannot be cleared without the assistance of the Accounts Officer (Highways) or extra staff, he should at once apply for such assistance.

48. The Divisional Engineer has a right to seek the advice of the Account-General or the Accounts Officer (Highways), as the case may be, in matters connected with the accounts dealt with by him or the application of financial rules or orders, concerning which there may be any doubt. It will usually be desirable however that

should first obtain the advice of the divisional Accountant who is specially trained for his duty and this should be done in writing in all cases of importance.

49. The Divisional Engineer is primarily responsible for reporting without delay, supported, if necessary, by a work-sheet, the probability of any excesses over estimates, all important liabilities not brought to account being noted, and for the prompt revision of Estimates when necessary.

Note: 1 The Divisional Engineer need not submit work slips in cases in which he has power to pass finally excesses over estimates but should sanction work slips and keep them on record.

2 Work slips and agreements after completion are purposeless.

3 The provisions of the above paragraph will be relaxed in the case of famine relief works, but this does not relieve officers from the responsibility of obtaining necessary sanction to a revised estimate and additional appropriation as soon as they can foresee how far an estimate is likely to be exceeded.

50. The Divisional Engineer is responsible for the detailed assessment of such revenue as is collected through the Highways & Rural works Department within his division and will maintain such records and accounts as may be prescribed (vide paragraphs 466-523)

51. The Divisional Engineer is responsible that surveying and mathematical instruments in his division are properly cared for and will report on their condition to the Superintending Engineer at the end of each working season. Any injury to the instruments due to neglect or carelessness should be made good at the expense of the officer or sub-ordinate responsible for the damage.

52. The Divisional Engineer is responsible for the purchase (subject to the provisions of stores rules, Articles 122 to 145 of the Tamilnadu Financial Code, Volume I, manufacture, care and disposal of all stores required for his division (vide also Para 451 and 452)

53. The Divisional Engineer may dispose of temporary buildings or structures required for an charged to works (vide paragraph 223)

54. "The Divisional Engineer will appoint or dismiss and generally control all the inferior and petty establishments authorised for his division such as Basic Servants and Watchman". He may fill up acting and temporary vacancies of Junior Assts and Asst draftsmen in his division and grant leave (Other than special disability leave) to temporary, acting and permanent Assistants & Junior Assistants, draughtsmen and Assistant draftsmen. He should, however, report the appointments made and the leave granted, to the Superintending Engineer immediately. Appeals will lie from any

order of punishment passed by the Divisional Engineer to the Superintending Engineer. (G.O. Ms No.1339 P W Dt. 2-9-76)

55. The Divisional Engineer is ex-officio, the professional adviser of all departments of Government and local bodies within the limits of his charge ; and it will be incumbent on him to see that no undue formalities are allowed to interfere with the performance of his duty.

56. The Divisional Engineer is responsible for the engineering features of designs, accuracy and completeness of all drawings and estimates, whether prepared by himself or by his subordinates. All estimates should therefore be signed and submitted by him to the concerned competent authority wherever necessary. It will be his duty to carefully scrutinize all estimates in every respect and to see that they are drawn up with strict regard to economy and that whenever rates are proposed in excess of those in the sanctioned schedule of rates, they are really necessary and are supported by necessary data.

57. Divisional Engineers should address Officers commanding divisions, brigades or stations through their Staff Officers.

v. Sub Divisional Officer

58. The division is divided into subdivisions in charge of sub divisional officers, who may be Divisional Engineers, Assistant Divisional Engineers or where no such officers are available, Subordinate Engineers and who are responsible to the Divisional Engineer in charge of the division for the management and execution of works within their subdivisions. No Subdivision can be constituted in the first instance without the sanction of the State Government.

The Sub Divisional Officer will be under the control of the Divisional Engineer and will attend to work on Government roads.

Note: The duties and responsibilities of the Assistant Divisional Engineers in regard to municipal and panchayat works in his area or jurisdiction are contained in Appendix 7.

The Sub Divisional Officers may fill up acting and temporary vacancies in the last grade Service in their Sub-divisions and grant leave (other than special disability leave) to peons and members of the work charged establishment, permanent and temporary and acting upto one month at a time and for not more than one month in a calendar year.

VI Divisional Accountant

59. The Divisional Accountant referred to in paragraphs 46 and 48 is appointed by the Chief Engineer and his functions are described in paragraphs 592 to 601, 605 to 610.

592. The Divisional Accountant should examine the accounts return of subdivisional Officers on receipt to see

- (i) That they have been received in a complete state
- (ii) That all sums receivable are duly realized, and on realization credited to the proper head of account as well as to the personal account, if any, of the contractor, employee or other individual.
- (iii) That the charges are covered by sanctions and appropriations and are supported by complete vouchers setting forth the claims and the acknowledgement of the payees legally entitled to receive the sums paid.
- (iv) That all vouchers and accounts are arithmetically correct
- (v) That they are in all respects properly prepared in accordance with rules applicable to each case; and
- (vi) That all charges are correctly classified, those which are debit to the personal account of a contractor employee or other individual, or are recoverable from him under any rule or order, being recorded as such in a prescribed account.

It should be seen in particular that on the basis of rates sanctioned by competent authorities, and of facts (as to quantities of work done, supplies made, etc. or services rendered) certified by responsible officers the claims admitted for payment are valid and in order.

It is not necessary that the Divisional Accountant should check personally the arithmetical accuracy of all vouchers and accounts, but he is responsible that a cent percent check is exercised efficiently under his supervision.

593. The Divisional Accountant should exercise a similar check, from day to day, in regard to (i) the transactions recorded direct in the cash and stock accounts of the divisional office, and (ii) bills and vouchers of subdivisions which are submitted to the Divisional Officer for approval before payment is made by the Subdivisional Officer. In respect of charges, this examination should be conducted before the payment is made.

The arithmetical accuracy of the entries in the measurement books relating to bills sent for pre-check should be checked cent percent in the division office under the supervision of the Divisional Accountant, though not personally by himself.

Divisional Accountant should affix his dated initials after last entry in the Divisional cash book/stock accounts in token of check.

(G.O Ms No. 1195 P.W dt 28 - 7 - 1973)

594. Every payment should be so recorded and a receipt for the same so obtained, e.g see Article 125© and the note there under and Local Rulings 11 and 15 there under of the note Tamilnadu Account Code, Volume III, that a second claim against Government on the same account is impossible and if it represents a refund of a sum previously received by Government, it should also be seen that the amount paid is correctly refundable to the payee.

595. If the Divisional Officer has set a limitation on the drawings of any subdivisional officer on a treasury for any month, he should intimate the same to the Treasury Officer, and specify the date of commencement and termination of the account month of the sub divisional officer. The Divisional Accountant while examining the cash book of the Sub divisional Officer should see that the total amount of cheques drawn by him during that month does not exceed the prescribed limit---- See paragraph 350.

596. The Divisional Accountant is responsible that every order or sanction affecting expenditure to be accounted for in the Monthly Account, it is noted atonce in a suitable register (or other account) preferably one wherein the expenditure incurred against it can be watched readily. General sanctions to estimates and appropriations for works should be noted in the Register of Works. Sanction to fixed charges of a recurring character, e.g those relating to the entertainment of work-charged establishments should be entered in the Register of Sanctions to Fixed changes. Form 58 (P.W.D VI-90 (a) Register of Miscellaneous Sanctions, will be found suitable.

Form 58 and 59 (P.W.D VI-90 (a) and (b) may also be used in respect of sanctions to contingent expenditure when this is not brought to account in the monthly account, but separate pages of these registers should be set aside for this purpose.

Sanction to estimates for works should be entered in the Register of works, even though a collective register of all sanctioned estimates be maintained by the Divisional Officer for his own information.

597. If against a single sanction two or more disbursing officers have to operate simultaneously, the orders of the Divisional Officer should be obtained imposing a definite limitation on the money transactions of each officer. Similarly if disbursing officers of two or more divisions are concerned, the orders of the Superintending Engineer or higher authority should be taken. In such cases, it may be advisable to have a separate working estimate, or other sanction, to cover the transactions of each disbursing officer, and for the purpose of bringing the expenditure to account, these should be treated as far as possible, as independent transactions pertaining to the same group of works or the same project. If this is not possible, special arrangements must be made for the check of the total expenditure against the sanction.

598. It is one of the functions of the Divisional Accountant to see that expenditure, which is within the competence of the Divisional Officer to sanction or regularize is

not incurred, as a matter of course, under the orders of subordinate disbursing officers without his knowledge. All such items of expenditure should atonce be brought to the notice of the Divisional Officer and his orders obtained and placed on record. See also paragraph 608.

A) The works expenditure should be checked with the estimate to ensure that the charges incurred are in pursuance of the object for which the estimate was intended to provide. In the case of works, the expenditure on which is recorded by the Divisional Accountant is responsible for checking the expenditure on each sub head with the estimated quantity of work to be done and the sanctioned rate and total sanctioned cost so that he may bring to notice all deviations from the sanctioned estimate.

599. When a recovery has been ordered to be made from a contractor or other person, which cannot be watched through a suspense or other account specially prescribed for the purpose, the order should be noted atonce in a Register of recoveries in Form 95 (P.W.D VI- 123) opened specially for the purpose, so that the amounts recovered from time to time (with particulars of the accounts concerned) may be recorded against it, and prompt compliance with the order watched.

600. It is permissible to take in reduction of the expenditure on works in progress, certain recoveries of expenditure (Vide Article 20 of the Tamilnadu Account Code, Volume III) e.g. sale proceeds of surplus materials and plant acquired specially for any work, or of materials received from dismantled structure irrespective of whether the estimates for the works make allowance for such recoveries or not. The amounts of such receipts are, however, not available for expenditure in excess of that authorized in the estimate for the work, and the Divisional Accountant should see that, without the orders of competent authority the gross expenditure authorized is not exceeded, or surplus receipts realized are not utilized towards additional expenditure. He should, at the same time, watch the receipts, with a view to bring to the Divisional Officer's notice and obtain that officer's orders on all marked deviations from the provisions for such credits in the estimates of work.

In the case of works, the account of which are kept by sub heads, all such receipts should be credited to a special sub head in those accounts-vide Article 135 (c) of the Tamilnadu Account Code Volume III. In the case of other works, the progress of the realization of receipts should be watched through the register of special recoveries (vide paragraph 599) which should be posted from sanctioned estimates in respect of credits anticipated therein, and from the accounts in respect of receipts from time to time.

The Divisional Accountant should see also that savings due to abandonment of parts of a work, as evidenced by the quantities of the work executed or otherwise, are not utilized towards unauthorized expenditure.

601. After check, every voucher should be enfacd with the word "checked" over the dated initials of the Divisional Accountant as well as of any clerk who may have

applied a preliminary check. Vouchers not submitted to audit (Vide article 232 of Tamilnadu Account Code, Volume III) should be “cancelled” by means of a perforating or endorsing stamp and kept carefully, to be made available for test—audit whenever demanded by the Accountant—General.

Vouchers relating to contingencies which do not amount to more than rupees two hundred and fifty each should be dealt with in the manner indicated in the certificate of the disbursing officer printed on M.T.C Form No. 58.

Stamps affixed to vouchers should be so cancelled that they cannot be used again and if with this object they are punched through, care should be taken that the acknowledgement of the payee is not destroyed thereby.

Vouchers relating to new supplies of tools and plant should be completed by noting on them the name of the month in that accounts of which the articles acquired were brought on to Form (P.W.D VI-7) Account of Receipts of Tools and Plant.

605. To assist Divisional Officers in the discharge of their responsibilities, the Chief Engineer (Highways Department) will post a Divisional Accountant to each Divisional Office.

1) Rules regarding the establishment of Divisional Accountants are given in Appendix 25.

2) The employment, as an Accountant in a Divisional Office of any person who does not belong to the establishment of Divisional Accountants is not ordinarily permissible.

606. a) The functions of the Divisional Accountant are three fold---

i) as Accountant, i.e as the compiler of the accounts of the division in accordance with the prescribed rules and from the data furnished to him;

ii) as internal checker, i.e. as the representative for internal audit charged with the responsibility of applying certain preliminary checks to the initial accounts, vouchers etc. and

iii) as financial Assistant, i.e. as the general assistant and adviser to the Divisional Officer in all matters relating to the accounts and budget estimates, or to the operation of financial rules generally.

b) In the discharge of these duties he is expected to keep himself fully conversant with all sanctions and orders passing through the office and with other proceedings of the Divisional Officer and his subordinates which may affect the estimates or accounts of actual or anticipated receipts and charges. He should advise the Divisional Officer on the financial effect of all proposals for expenditure and keep a watch, as far as possible, over all the liabilities against the grant of the division as they are incurred.

c) The Divisional Officer should see that he is given the fullest opportunity of becoming conversant with these sanctions, orders and proceedings. To enable him to

discharge his duties efficiently the Divisional Accountant is treated as the senior member of the office establishment of the division though his position is analogous of that of Subdivisional Officer.

607. The Divisional Accountant is expected to see that the rules and orders in force are observed in respect of all the transactions of the division. If he considers that any transaction or order affecting receipts or expenditure is such as would be challenged by the Accountant-General it is his duty to bring this fact to the notice of the Divisional Officer with a statement of his reasons, and to obtain the orders of that officer. It will then be his duty to comply with the orders of the Divisional Officer, but if he has been over ruled and is not satisfied with the decision, he should at the same time make a brief note of the case in the Register of Divisional Accountant's Audit Objections. Form 60 (P.W.D. VI-60 (a)) and lay the register before the Divisional Officer so that the latter may have an opportunity either of accepting the Divisional Accountant's advice on reconsideration and ordering action accordingly or of recording, for the information of the Accountant –General his reasons for disregarding that advice. An objection entered in this register should not be considered as finally disposed of until it has been reviewed by the Accountant-General, for whose inspection the register should be available at all times.

607 (A) (i) The Divisional Accountant is responsible for the arrangements for checking the computed tender, i.e, for seeing that satisfactory and efficient arrangements are made for checking

(ii) He should conduct personally a test check of the computed and checked tenders sufficient to satisfy himself personally that the checking work has been properly done, and

(iii) He should see that the comparative statement correctly incorporates the totals as checked on the individual tender.

(G.O. Ms. No. 2098 Public works Dt. 5-10-1968)

608. (a) The Divisional Accountant should bring to the Divisional Officer's notice all instances in which subordinate officers exceed the financial limitations on their powers placed by the Divisional Officer or higher authority.

For example, if the Divisional Officer is allowed a lump-sum appropriation for expenditure on group of works, and he has made out of it appropriations for individual works, expenditure should be watched against individual appropriation and excesses brought to the Divisional Officer's own powers of sanction as the latter may consider necessary.

(b) He may further be required by Divisional Officer, to undertake, on his behalf, such other scrutiny of the accounts of the receipts and disbursements of subordinate officers falling within the Divisional Officer's own powers of sanction as the latter may consider necessary.

(c) The Divisional Accountant will be solely responsible for the issue of objection on account of excesses over or for want of sanctioned estimates in the case of petty works, maintenance of staff boats, estimates for losses on stock and works of other departments such as post and telegraph works and military works and for regularizing them. He should maintain an objection book in Form VI-116 to record and watch the clearance of such irregularities. The Accountant-General will examine the register during his annual inspection.

609. The Divisional Accountant should inspect atleast once a year under the orders of and at the same time as the Divisional Officer, the accounts, the records of subdivisional Officers and check a percentage of the initial accounts. The defects noticed should be reported to the Divisional officer for orders but the Divisional Accountant will be responsible, as far as possible, for personally explaining the defects of procedure and imparting necessary instruction thereon to the Subdivisional Officers and their staff.

Note: The period of one year in this rule shall denote a period of twelve months from the date of formation of a subdivision,

The results of those inspection should be placed on record for the inspection of the Accountant-General but serious financial irregularities should be reported atonce for the information of that officer, even though set right under the orders of Competent authority. See also Article 294 of the Tamilnadu Financial Code Volume I requiring a report to be made immediately to the Accountant-General of all defalcations or losses of public money, stores or other property.

The accounts of interest bearing securities maintained by Sub divisional officers should be examined to see that the rules relating to them are observed and that the register on P.W.A form 85 (P.W.D VI-104) is correctly maintained and with this object a few transactions of the register should be compared with the entries in the cash book or other account, and vice versa. The securities certified in the last Annual Account of Interest-Bearing securities, P.W.A form 86 (P.W.D VI-105) as being on hand should be verified by inspection as far as possible, and it should be seen, in respect of such of them as are not produced for inspection, that there are inexistence either the original acknowledgements of the depositors bearing dates subsequent to the dates of the last account, or the acknowledgements of the authorized custodians as the case may be.

610. Two sets of questions for the guidance of the Divisional Accountant in carrying out his inspections are contained in Appendix 31, Part I of the questions contains the subjects which should necessarily be examined by the Accountant part II refers to matters about which the Accountant should obtain before commencing his inspection, the specific orders of the Divisional Officer in writing as to whether he should examine them or whether the Divisional Officer has ordered him to do so. The remaining points therein should be examined by the Divisional Officer himself.

POWERS DELEGATED BY THE GOVERNMENT TO THE OFFICERS OF THE DEPARTMENT (as per chapter-5 of Highways Manual)

A. General

288. (i) The following rules indicate the powers delegated to the various authorities in the Highways Department in regard to expenditure on works and matters incidental thereto:-

ii) The powers delegated are subject to the following conditions:

1) Budget provision should exist or funds should be re-appropriated by the competent authority.

2) The sanction should be specific, the financial effect duration, etc., being specified. All sanctions should be communicated to the Accounts Officer (Highways and Rural Works Department) and the Accountant General, Tamilnadu wherever, necessary. All sanctions will have effect from the date of order unless otherwise specifically stated.

3) In the case of works on National Highways, Road Development Fund Works, and other works, the expenditure on which is met fully or in part from the funds allotted by the Government of India, the powers are subject to compliance with the special orders of the Government of India, issued from time to time vide Appendix. I.

iii) In respect of matters for which powers have not been specifically delegated to any officer of the Department, prior sanction of the Government should be obtained before under taking any commitment.

B. Powers of Chief Engineers

289. The following powers have been delegated to the Chief Engineer (Highways and Rural Works Department):-

I. Sanction of Estimates a.

Administrative approval

337 Roads and Bridges other than Investigation works.

i) To accord administrative approval to estimates for works required for his department (other than works on National Highways and works financed or aided by the Government of India, residential building and electrical works) Rs.10,000/-

Note 1:	For Electrical works - See paragraph 238
Note 2:	Chief Engineer may accord administrative approval under this power to the construction of huts for watchers of inspection bungalows. He may also accord administrative approval to works connected with quarters for employees inferior service, subject to the following conditions:-

i) that the proposals are in accordance with the latest type-designs approved by the Government and that outside works are limited to minor sanitary works, such as drains, latrines, wells and the like; and

ii) that an enhancement of the limit fixed for Minor works is not asked for on this ground.

Note 3:	The Chief Engineer (Highways & Rural Works Department) may accord administrative approval to proposals for improving the existing residential buildings subject to the conditions that the addition to the capital cost does not exceed Rs.500 in each case and that the standard rent of the buildings will exceed Rs.500/- in each case and that standard rent of the building will not exceed 10% of the average emoluments of the class of tenant for whom it is intended. The above delegation does not apply to rent-free quarters or to proposals for acquisition of land for additions to compounds of residences whatever the cost of value of the land may be.
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ii) Contribution Works Rs.40,000/-

b. Technical Sanction

iii) Original Works:- After administrative approval to a work has been accorded by the competent authority the Chief Engineer can accord technical sanction to detailed working estimates, provided that whenever any modification is proposed in the details of the work, involving a departure from the approved the standard of efficiency or stability of the whole work, he should move the Government to accord or obtain fresh administrative approval.

iv) Tools and plant; Full powers.

II. Re-appropriation of Funds voted expenditure

To sanction re-appropriation of funds from one circle to another under the same minor head within a grant provided that

1) Such re-appropriation is not made to a new service or object not contemplated in the budget for the year;

Note :	Under this clause, the Chief Engineer (Highways and Rural Works Department) may not reappropriate funds to a new major work or a new minor work costing over Rs.2,500 which has not been mentioned in the budget.
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3) The re-appropriation has not the effect of increasing the expenditure on an item, the provision for which has been specifically reduced by a vote of the Legislature or by Government.

4) The total budget provision for minor works under a minor or departmental head under 337 Roads & Bridges is not increased.

5) The appropriation does not involve a transfer of fund between voted and non-voted heads.

6) The re-appropriation does not involve a transfer of funds to a work or project has not received the requisite administrative approval and technical sanction under the rules in this Manual or does not involve an appropriation of funds in excess the amount of the estimate if technical sanction has been accorded.

7) The amount re-appropriated from or to a single major work in the same head of account does not exceed Rs.40,000 and

8) A copy of the order sanctioning the re-appropriation shall be communicated to the Finance Department, to the Accountant-General and the Accounts Officer (Highways & Rural Works Department) as soon as it is passed.

Non-Voted expenditure

Subject to the above restrictins, the Chief Engineer (Highways & Rural Works Department) may sanction re-appropriations in respect of the charged expenditure between sub-heads of appropriation within a minor head.

III. Sale of Dismantlement of buildings

See paragraph 221.

IV. Office Furniture

To sanction purchase of Office furniture upto Rs.7,500/- subject to Budget provision.

V. Contracts

To accept any tender for execution of works by contract within the amount of the sanctioned estimate, he may invest individual Divisional Engineers in charge of Divisions with powers to enter into contracts based on the lumpsum tender system upto a limit of Rs.2,00,000/- (G.O.Ms.No.308 / Transport / dt 5-3-80) subject to the condition that no additions or alterations in authorised standard forms are made by a Divisional Engineer - vide paragraph 303.

VI. Write - Off

To write - off the irrecoverable value of stores on public money lost by fraud or other causes, unprofitable outlay on works and loss of revenue subject to a maximum limit of Rs.7,500/- in each case and for immovable properties of Rs.5,000/- provided the loss does not disclose:-

1) a defect of system or in rules which require the sanction of a higher authority; or

2) Serious negligence on the part of some individual officer or Officers which might possibly call for disciplinary action requiring the action of a higher authority.

All sanctions to write-off under this rule should be communicated to Accountant-General.

VII. Law Suits

To exercise all the powers exercised by the Board of Revenue in regard to according sanction to the institution and defence of original suits and appeals the money value of which does not exceed Rs.15,000/- in each case, unless they involve any important question of principle or are in nature of test suits, in which case, irrespective of the money value, the orders of Government should be obtained.

Note 1:	The point whether a case does or does not involve a question of principle shall be decided by the Chief Engineer.
Note 2:	Before according such sanction, the Chief Engineer shall obtain the opinion of the Government Pleader, Madras in regard to litigation in the city and shall obtain or cause to be obtained, the opinion of the local Government Pleader in regard to mufassal litigation and follow the instructions in G.O.Ms.No.4350/Home/dt.25 th October 1940 and No.200/Home/dated 11 th January 1941

Note 3:	If the Chief Engineer finds himself unable to accept the legal advise obtained in any case, he should report it for the orders of Government.
Note 4:	The Superintending Engineer or the Divisional Engineer should, when he submits the records of a case in which in his opinion a suit or appeal should or should not be filed or the defence should or should not be undertaken, send along with the records (a) the opinion of the Collector in suits and appeals affecting or likely to affect any department under his control as to the advisability or otherwise of filling or defending the suit or appeal.
Note 5:	Sanction of Government is necessary for payment of fees to the pleader in case where the cost is not recoverable from the other party to the suit.

C. Powers of Superintending Engineer

290. The following is a summary of the powers of a Superintending Engineer (Highways and Rural Works Department)

Original Works

337. Roads and Bridges other than investigation works.

To accord administrative approval to estimates upto Rs.15,000 for works other than on National Highways, works financed or aided by the Government of India, residential or electrical.

Note 1:	For electrical works see paragraph 238
Note 2:	Superintending Engineers may accord administrative approval under this power to the construction of huts for watchers of inspection bungalows. They may also accord administrative approval to works connected with quarters for employees in inferior service, subject to the following conditions:-

i) that the proposals are in accordance with the latest type-designs approved by the Government and that outside works are limited to minor sanitary works, such as drains, latrines, wells and the like and

ii) that on enhancement of the limit fixed for 'Minor works' for on this ground

b) Contribution works

To sanction the undertaking of contribution works upto Rs.15,000/-

c) Technical sanction to estimates

Superintending Engineers are empowered to accord final or technical sanction as detailed estimates for original works upto rupees three lakhs.

Where the detailed estimates is working estimate for a work or part of a work, included in a general estimates or in any subsidiary estimate subsequently sanctioned by competent authority, the sanction is subject to the condition that the provision for it in the general or subsidiary estimate is not exceeded. A Superintending Engineer may transfer ascertained savings from any one portion of the project to another within the sanctioned estimate.

d) Excess over estimates

To deal finally with all excess of not more than 5% of the amount of any sanctioned estimates G.O.Ms.No.1018 PWD Dt.30-6-75 provided that the total amount of the exceeds within the limit of his powers to sanction estimates technically. He may also pass excess expenditure upto a limit of Rs.1,500/- on all works irrespective of the amounts of the sanctioned estimates. He has however no power to sanction any excess over a revised estimates sanctioned by a higher authority see also paragraph 177.

e) Alterations of designs

To sanction necessary alterations in the constructive details of works during their execution provided that such alterations do not cause an increase of charge beyond the limit of his powers to deal finally with excess over estimates - Vide (d) above.

f) Contingencies in the estimate for a work

To divert the provision for contingencies to new works or repairs which are not provided for in the estimate.

g) Unforeseen works in an estimate for a work

To divert the provision under this item for new works are required by the administrative authority and which are for due fulfillment of the precise object for which the work was intended. See also paragraph 123.

II. Repairs

291. a) To sanction estimates for annual and special repairs within the limits assigned for his circle in the budget estimate under each head of service and to prescribe lump sum provision for the annual repairs to buildings as laid down be limited by the Superintending Engineer to a fixed amount per kilometre.

b) Periodical Repairs

To authorize the commencement of urgent periodical repairs in anticipation of formal sanction to estimates - vide paragraph 143.

c) Emergent Repairs

To sanction emergent repairs to any reasonable and necessary amount in case of imminent danger to the structure.

d) Excess over estimates

Same powers as under original works, if a revised estimate is prepared it may be dealt with under sub-paragraph (a) above.

III. Tools and Plant

292. To sanction detailed estimates for the purchase and manufacture of ordinary tools and plant upto Rs.1,00,000.

293. Superintending Engineers may sanction photograph within the limits of budget provision.

Note :	In case where the photographs taken are of completed works and for general purposes and not in the interest of works themselves the charge should be debited to Establishment - Contingencies.
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294. To accept tenders for contracts for all original works and repairs upto the limit of the estimates sanctioned by competent authority plus such excess as he is competent to sanction under the provisions of paragraph 290 (d) To Execute contracts and piece work agreement up to the same limit provided they are drawn up in standard forms.

Note:	In the case of officers holding officiating or temporary rank for a period not exceeding three months, these powers are restricted to a money limit of one lakh.
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VI. Stores

(a) Purchase, Manufacture and Repair,

(i) General

295. To accord administrative approval to estimates for the purchase or manufacture of tools and plant (not including) livestock or office furniture to a maximum expenditure of Rs.15,000 for each estimate, and to order the purchase or manufacture of any stores required for the construction of sanctioned work, subject to the conditions laid down in the Stores Rules.

Note:	Estimate for the purchase, improvements and repairs of floating plant other than motor or steam launchers, staff boats and boats for which rent or hire is payable may be sanctioned by Superintending Engineer upto a limit of Rs.1000.
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ii) Office Furniture

To sanction purchase of office furniture within the budget allotment subject to a maximum expenditure of Rs.500 for each estimate.

iii) Indents

to pass indents on other departments for articles required for sanctioned works, and to forward indents for the imported stores direct. See the Stores Rules in Chapter VI of the Tamilnadu Financial Code, Volume I.

iv) Repairs

To sanction estimates for repairs to tools and plant within the limits of the appropriation assigned to his circle.

(b) Disposal of stores

i) To issue orders for the disposal of all unserviceable or surplus stores including stock, tools and plant, materials at site of works and materials received from works dismantled or undergoing repairs to write off the loss due to disposal of such articles (i.e, the difference between the book value of the articles and the amount realised by their disposal), when the total loss on all articles disposed of at a time included in one study report is Rs.20,000 or less.

ii) To sanction the issue of any materials from store yards to private persons at full value including storage charges plus the usual supervision charges of 10 percent, when this can be done without inconvenience to the public service.

iii) To waive the 10 percent supervision charges when materials are sold to the public in the case of surplus stock materials which in his open would otherwise be unsaleable.

iv) To write off famine tools that have been lost or become unserviceable.

v) A Superintending Engineer may deal finally with the disposal of any unserviceable floating plant subject to the provision that the condemnation, sale or disposal otherwise of all staff boats and of other vessels of which the original cost was Rs.10,000 or more should be made after the sanction of Government.

c) Losses due to depreciation

To sanction estimate for losses due to depreciation of stock upto a limit of Rs.10,000.

(d) Write-off

To write-off the irrecoverable value of stores or public money lost by fraud or other causes, unprofitable outlay on works and loss of revenue subject to a maximum limit of Rs.1,500 in each case provided the loss does not disclose (1) a defect of system or in rules the amendment of which requires the order of a higher authority; or (2) serious negligence on the part of some individual officer or officers which might possibly call for disciplinary action requiring the orders of a higher authority.

Note :	All sanctions to write-off under this rule should be communicated to the Accountant-General.
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(e) Sale and dismantlement of buildings

See paragraph 221.

(f) Losses in manufacture

To adjust losses in manufacture upto a limit of Rs.750/- in each case.

VI-Powers of re-appropriation

296. The following are the powers of Superintending Engineers (Highways and Rural Works Department) to re-appropriate funds:-

337. Roads and buildings, and 537 capital outlay on Roads and Bridges. a) Original Works - Communications.
Original Works - Miscellaneous.

A Superintending Engineer may, within the funds allotted to his circle re-appropriate funds from one work to another subject to the following conditions:-

1) that the total of the amounts proposed to be re-appropriated from or to a single major work does not exceed Rs.15,000.

2) that in the case of resumption, the head of department is informed of the fact explaining why it was not possible to spend the appropriation on the work in question.

3) That no re-appropriation is made to a new major work or to a new minor work costing over Rs.2,500 not provided for in the budget.

4) that the re-appropriations are confined to works under the same minor head.

5) That the re-appropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical

sanction under the rules in this Manual or does not involve an appropriation of funds in excess of the amount of the estimate, if technical sanction has been accorded.

6) That the re-appropriation has not the effect of increasing the appropriation under a unit, which has been reduced by a higher authority and

7) That the re-appropriation has not the effect of increasing the total budget provision for minor works under a minor head under 337 Roads and Bridges.

b) Repairs and Tools and Plant - No powers.

Note :	Lump-sums will be allotted by the Chief Engineer for each circle under the primary units under these heads The Superintending Engineer should redistribute the amounts under each primary unit among the several divisions under him.
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c) Copies of all orders of re-appropriations sanctioned by the Superintending Engineer should be forwarded to the Finance Department through the Chief Engineer to the Accountant General and the Accounts Officer (Highways & Rural works Department).

VII. Miscellaneous Powers

297). Rules and powers regarding the grant of advances of pay and traveling allowances, etc., and contingent expenditure will be found in the Tamilnadu Financial Code.

298. i) Superintending Engineers of Circles are authorized to arrange with the Telegraph Engineering Department on their own authority, for the establishment of telephone connexions required as a temporary measure in connexion with the execution of work. Subject to a condition that the cost of the connexions has been provided for in the sanctioned estimate for the work.

ii) Superintending Engineers are authorised to incur expenditure in the employment of water and supplying drinking water to their office from their office contingencies when the necessity for such expenditure arises.

(G.O.Ms.No.1683, Public Works, dt.29-6-64)

iii) The Superintending Engineers are empowered to condemn old by-cycles and sanction the purchase of new by-cycles in place of the condemned ones for use in their offices as well as in the sub-ordinate offices under their control subject to a maximum of Rs.500/- for each office”.

(G.O.Rt.No.123, Public Works, dt.29-1-70)

299. Superintending Engineers may approve of alterations of the dates of birth entered in the service books of the non-gazetted establishments serving under them.

D. POWERS OF DIVISIONAL ENGINEERS

300. The following is a summary of powers of a permanent Divisional Engineer in charge of a division. Officiating Divisional Engineers in charge of divisions are also empowered to exercise these powers provided the officiating period is likely to exceed three months. Once an officiating Divisional Engineer has exercised these powers he will exercise them again whenever he acts as a Divisional Engineer, whatever the period unless the powers have for any reason been expressly withdrawn.

I. Original Works

a) Administrative approval

To accord administrative approval to work of the classes shown below subject to the limit for any one work shown against each class:-

337. Roads and Bridges other than miscellaneous expenditure on investigation of roads, and bridges, National Highways and Works financed or aided by the Government of India electrical works Rs.7500/-.

Full contribution works Rs.7500

Note 1:	For electrical works See Paragraph 238
Note 2:	Divisional Engineers may accorded administrative approval to works connected with quarters for employees in inferior service upto a limit of Rs.6,000 for any work subject to the following conditions:-

i) That the proposals are in accordance with the late type designs approved by the Government and that outside works are limited to minor sanitary works, such as drains, latrines wells and the like and

ii) That an enhancement of the limit fixed for “Minor works” is not asked for on this ground.

b) Technical sanction to estimates

To accord final or technical sanction to detailed estimates for original works upto a maximum limit of Rs.1,00,000 excluding charges for establishment and tools and plant.

When the detailed estimate is a working estimate for a work or part of a work, included in a general estimate or in any subsidiary estimate subsequently sanctioned by competent authority, the sanction is subject to the condition that the provision for it in the general or subsidiary estimate is not exceeded.

Note :-	The Divisional Engineers of divisions can accord technical sanction to estimates for small extensions to electric installations in Government buildings in their charge upto a limit of Rs.15,000.
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c) Excess over estimates

To deal finally all excesses over the amounts sanctioned by himself or by higher authorities upto a limit of Rs.750 irrespective of the total amount of the sanction estimate and in other cases provided that the total amount of excess is within 5% of the sanctioned estimate and within the limit of his powers to sanction the estimate technically, Divisional Engineer has no power to sanction any excess over a revised estimate sanctioned by a higher authority. See also para 177.

G.O.Ms.1018 PWD Dt.30-6-75.

d) Alterations of designs

The sanction alterations in the constructive details of works during their execution in cases of necessity, reporting as a general rule his action to the Superintending Engineer provided that such alterations do not cause an increase of charge on the work beyond the limit of his powers to deal finally with excesses over estimates -Vide (c) above. When however, such alterations affect the administrative side of the works, they should be effected only after consulting, the administrative department concerned.

(e) Contingencies in the estimate for a work

To divert the provision for contingencies to new works or repairs not provided for in the estimate upto a maximum of Rs.5,000 for each item (paragraph 122). The Divisional Engineer can divert the provision in any estimate under "Contingencies" to meet excesses due to increased rates of any cause whatever, provided the total amount of the estimate after revision does not exceed by more than 5 percent of the sanctioned amount inclusive of contingencies and provided that the excess is within the Divisional Engineer's powers of sanction.

(f) Unforeseen works in an estimate for a work

To divert the provision under this item for new works which are required by the administrative authority and which are essential for the due fulfillment of the precise object for which the scheme was intended, upto a limit of Rs.5,000 for each item. See also paragraph 123.

II. Repairs

(i) Maintenance works

301. a) To sanction estimates for maintenance of roads without any money limit subject to the condition that the limit for each road based on the mileage rate for each reach of that road fixed by the Superintending Engineer is not exceeded. "to

sanction estimates for ordinary and special repair estimates to buildings within the limit of budget allotment upto a limit of Rs.6,000/- for each work”

(ii) Emergent repairs

To sanction emergent repairs to all works in charge of the department to any necessity and reasonable amount, in case of imminent danger to the structure.

(iii) Repairs to electric installations

To sanction estimate for ordinary or special repairs to electric installations in Government buildings in their charge up to a limit of Rs.5,000/-

b) To prescribe lump sum amounts for ordinary repairs under paragraph 149 up to Rs.1000 under the conditions laid down therein.

(c) Excess over estimates

Same powers as under original works, if a revised estimate is not prepared: if a revised estimate is prepared, it may be dealt with under sub-paragraph (a) above.

III Tools and Plant

302. Same powers as under original

works IV. Contracts

303. The following shall be substituted for the existing para 303 of Highways Manual Volume IV.

“To accept tenders for contract for sanctioned original works and repairs subject to the limits indicated below:

Upto Rs.20,000/- or any higher limits which may 5% excess over technically be authorised by the Chief Engineer under the sanctioned estimate. provision of the such para below,	
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The Chief Engineer (Highways and Rural Works) may at his discretion invest individual permanent Divisional Engineer incharge of division or officiated or is likely to officiate in such a charge for more than 3 months with powers to enter into contracts, based on the lumpsum tender system upto a limit of Rs.2,00,000/- subject to the condition that no additions to or alterations in authorised standard forms are made by a Divisional Engineer.

Note : In case where materials are supplied by Government to the contractor, the amount of Contract should for the purpose of determining the authority competent to accept it, be taken to be the net amount to be paid to the Contractor exclusive of the cost of value of the materials so supplied. Further the amount of the contract added to the cost of materials must not exceed the sanctioned estimate by an amount greater than that which the officer is empowered to sanction under the provision of paragraph 300 (c)".
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V Stores

(a) Purchase, Manufacture and repairs

304. i) To accord administrative approval to estimates for the purchase or manufacture of tools and plant (not including livestock or office furniture) subject to maximum of Rs.7,500/- for each estimate and to sanction estimates for regular repairs of special tools and plant other than running or working expenses upto Rs.4,000 for each estimate and for the maintenance of ordinary tools and plant up to Rs.3,000 a year for the division limited to the appropriation allotted for the division. The Divisional engineers may sanction estimates technically for ordinary maintenance of special tools and plant like lorries, power rollers, etc., upto Rs.30,000 per year for each such plant.

“The Divisional Engineer, Transport and Machinery may sanction estimates technically for special repairs to tools and plants upto Rs.5,000/- for each plant at a time.

(G.O.Ms.No.2953 Public Works, dt.2-11-62)

ii) To accord administrative approval to the purchase of office furniture upto Rs.400 for each estimate.

iii) To order any stores required for the execution of a sanctioned work, subject to the conditions laid down in the Stores Rules Chapter VII of the Madras Financial Code, Volume I and to provision in the sanctioned estimates. See paragraph 431.

iv) To Purchase or manufacture stock, sufficient to keep the stock of the division upto the reserve limit vide paragraphs 432 and 433.

b) Write-Off

i) To sanction the writing off the returns of tools and plant of all tools and plant, the full value of which has been recovered. In recovering the value of tools lost, centage charges must be recovered.

ii) To write-off tools and plant in those cases where only part values have been recovered for causes which he considers reasonable.

iii) To Write-off unserviceable tools and plant and stores the Original cost of which did not exceed Rs.250 when no value is recovered for causes which the Divisional Engineer considers reasonable.

iv) To write-off famine tools the full value of which has been recovered, subject to the provision that if such write-off affects the authorized reserve, the orders of the Superintending Engineer concerned should be obtained.

v) To write-off finally the irrecoverable value of stores or public money lost by fraud or other causes unprofitable outlay on works and loss of revenue subject to a maximum limit of Rs.400 in each case, provided that the loss does not disclose:

1) a defect of the system the amendment of which requires the orders of higher authority or,

2) serious negligence on the part of some individual officer or officers which might possibly call for disciplinary action requiring the orders of higher authority.

c) Disposal of stores

i) To issue orders for the disposal by a sale or other wise, surplus stores at a rate not less than the prevailing market rate in the locality at the time of their disposal or at their full book value which ever is less and of materials received from works dismantled or undergoing repairs at their estimated value upto a limit of Rs.2,500 vide paragraph 547.

ii) To sanction the sale of articles on the stock accounts to private persons up to Rs.1,000 when it can be done without inconvenience to the public service for full value including storage charges plus the usual supervision charges of 10 percent. The supervision charge may, however be waived by the Divisional Engineer in the case of surplus stock which in his opinion would otherwise be unsaleable.

iii) To sanction the sale of unserviceable store at less than their full book value when the original purchase value of the articles does not exceed Rs.2,500.

(d) Sale and dismantlement of Public buildings

See paragraph 221

VII. Powers of Re-appropriation

305. The following are the powers of Divisional Engineers to re-appropriate funds:

337 Roads and Bridges and 537 Capital outlay on Roads and Bridges

Subject to the following conditions:

- 1) that the total of the amounts proposed to be reappropriate from or to a single major work should not exceed Rs.4,000 in the same head of Account.
- 2) that in the case of resumptions the Chief Engineer (Highways and Rural Works) should be informed of the fact, explaining why it was not possible to spend the grant on the Work in question:
- 3) that the amount resumed should on no account be diverted to new major works not provided for in the budget;
- 4) that the re-appropriate are confined to works under the same minor head;
- 5) the re-appropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Manual or does not involve an appropriation of funds in excess of the amount of the estimate. If technical sanction has been accorded; and
- 6) That the re-appropriation has not the effect of increasing the appropriation under a unit which has been reduced by a higher authority.

Minor Works Divisional Engineers have full powers to sanction the transfer of funds between the minor works with in the division subject to the following conditions:-

- 1) No transfer should be made from one minor or departmental head to another,
 - 2) No transfer of funds should be made to a new minor work costing over Rs.2,500 not already included in the appendix to the State Civil Works Budget.
 - 3) No transfer should be made to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this manual and when the amounts so transferred involve sanction of grant in excess of the amount of the estimate if technical sanction has been accorded, and
 - 4) that the transfer has not the effect of increasing the total provision for minor works under a minor or departmental head under "337 Roads & Bridges".
- 2) Copies of orders sanctioning any reappropriation should be communicated to the Finance Department through the proper channel, to the Accountant-General and the Accounts Officer (Highways and Rural Works) as soon as such orders are passed.

VII Miscellaneous powers

306. i) Rules and powers regarding the grant of advances of pay and travelling allowances, house building advances; etc., and contingent expenditure will be found in the Tamilnadu Financial Code and the Tamilnadu Code.

ii) Divisional Engineers (Highways and Rural Works) are authorised to incur expenditure in the employment of watchman and supplying drinking water to their office staff from their office Contingencies when the necessity for such expenditure arises.

(G.O.Ms.No.1683 Public Works, dt.29-6-64a)

iii) Divisional Engineers (Highways and Rural Works) are empowered to sanction payment of compensation to workmen in connection with accidents falling under section 4(1)(d) of the workmen compensation Act 1923 irrespective of whether compensation was awarded by the Commissioner for workmen compensation or not”.

(G.O.Ms.No.2257 Public Works, dt.7-8-65)

E. POWERS OF SUBDIVISIONAL OFFICERS

307. The powers specified in clauses (g), (h) and (i) below can be exercised by all subdivisional officers Permanent and officiating irrespective of the length of their services.

The powers specified in clauses (a) to (c) below can be exercised by

1) Permanent Assistant Divisional Engineers recruited from Assistant Engineer/Junior Engineer irrespective of the length of their service as subdivisional officers.

2) Officiating Assistant Divisional Engineers recruited from Junior Engineer/Assistant Engineer with three years service as sub divisional Officer and

3) Direct recruited permanent Assistant Divisional Engineers with three years service as sub divisional officers;

The power specified in clause (d) can be exercised in full by all officiating Assistant Divisional Engineers recruited from Assistant Engineer/Junior Engineer irrespective of the length of the service.

a) Technical sanction to estimate for works other than those relating to residential buildings and electrical works.

Upto a limit of

(1)	Buildings, designed on standard plans	Rs.3000
(2)	Buildings not based on standard plan	Rs.2000
Note 1:	Subdivisional Officers should consult Divisional Engineers in any case of doubt regarding foundations.	
Note 2:	Selected officers who have put in a service of not less than five years as subdivisional Officers may, however be recommended by Superintending Engineers to be invested with enhanced powers up to Rs.5,000 and Rs.3,000 under item (1) and (2) respectively.	

b) Sanction to estimates for special repairs except in the case of residential buildings and electrical works subject to the following limit.

Roads and Buildings—Rs.500.

C. Sanction to estimates for ordinary repairs:-

Roads and buildings excluding residential buildings and electrical works subject to the limit prescribed in paragraph 146—Rs.1,000.

Note :	This does not confer powers to sanction estimates containing provision for work establishment.
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d) i) To accept tenders and to enter into piece work agreements on standard forms—Rs.5,000.

ii) All assistant Divisional Engineers direct recruits and officiating and all temporary Assistant Divisional Engineers who have completed 5 years of Services are empowered to accept piece work agreements upto a limit of Rs.2,000.

Note 1:	Selected officers who have put in a service of not less than five years as Subdivisional officers may, however be recommended by Superintending Engineers to be invested with enhanced powers up to Rs.10,000 in the matter of accepting tenders and entering into piece work agreements on standard forms.
Note 2:	The above delegation in respect of 'Agreement' applied to piecework agreements only subject to the following conditions:-

1) That the agreements containing lump-sum items or items not included in the sanctioned estimate or rates in excess of those in the sanctioned estimate or additional to alterations in the authorized form should be accepted by a higher authority than the Subdivisional Officer: and

2) that, for items for which lump-sums are provided for in sanctioned estimates, the agreements should specify the rates with details and the total amount for each of the items, according to the specified rates should not exceed the lump-sum provision in the estimate. Provided that such specified rates are directly deducible from the accepted schedule of rates of the division and that in cases where the rates are not so deducible, and where the total of the relevant lump-sums in the estimate exceeds Rs.50 data in support of these rates are got approved by the higher authority before the agreement is accepted.

e) Powers to purchase tools and plant forming part of a sanctioned estimate, but not including furniture or livestock, Rs.500.

f) Subdivisional officers have no powers to sanction excess over estimates sanctioned by higher authority nor to approve deviation statements on work slips for estimates sanctioned by a higher authority.

g) Subdivisional officers can approve of sales of dead and fallen trees in the compounds of public buildings or by the sides of roads in charge of the Highways Department upto a limit of Rs.50 in each case subject to the following conditions:

1) That the sales are confined to trees fit for use as fire wood only and to those which are less than 4 feet in girth in the case of timber trees used for building purposes:

2) that wide publicity of the sales is given which must be certified to in the sale accounts submitted by Subdivisional officers: and

3) that if any objections from the public to the notice or conduct of sales are received within a fortnight of the sales, the orders of the Divisional Engineer should be taken the sales. In case where there are no objections being confirmed after a fortnight.

h) Sub divisional Officers are also invested with power to approve of sales of materials of insignificant value received from works dismantled or undergoing repairs such as brick, debris, cuddapah slab pieces, at their estimated value upto a limit Rs.50 subject to the condition that the articles are not required immediately for use on any works in the locality and subject also to conditions (2) and (3) in clause (g) above.

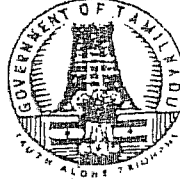
i) Sub divisional Officers can approve of gross, fruit and fishery leases upto a limit of Rs.50 in each case subject to the conditions that the period of lease shall not exceed one year and that the sale amount shall not be less than the average of the pervious three years.

j) Under section 255 and 59 (d) of the Tamilnadu Forest Act., 1882 (Tamilnadu Act V of 1882), Assistant Divisional Engineers are invested with powers of Forest Officers within their respective jurisdiction for the purpose of compounding of forest offences committed in relation to unreserved lands (other than tank bed lands) which are solely under the control of the Highways and Rural Works Department.

Amendments issued relating to Powers of the Engineers are given in the Annexure

Powers of TNRIDC

Chairman and Managing Director	Subject to policy and principles approved by the Board of Directors and budget provision, the General Management of the affairs and business of the Corporation.
Executive Director	To take decision on all matters relating to the day-to-day administration of the office To accept tenders invited for the works on par with powers vested with Chief Engineers in Highways Department. To have all correspondence with clients/customers and Government except on policy matters



ABSTRACT

Enhancement of the delegation of powers for the technical sanction and approval of tenders to Divisional Engineers / Superintending Engineers and Chief Engineers of Highways Department – Comprehensive orders – Issued.

Highways (HN1) Department

G.O. Ms. No. 80

Dated: 28-03-2007

Read:

1. G.O. Ms. No. 2086, Public Works Department, Dated 25.10.1989.
2. G.O. Ms. No. 108, Highways (HN) Department, Dated 23.06.2000.
3. From the Chief Engineer (General), Highways Letter No. 1757/ Contracts 1/ 2002, dated 21.11.2006.

ORDER:

The Government in the G.O. second read above have delegated powers for technical sanction and acceptance of tenders to the Officers of the Highways Department as follows:

Sl. No.	Authority	Technical Sanction for Estimate	Powers of Tender acceptance
(i)	Divisional Engineer / Executive Engineer	Upto Rs.30.00 Lakhs	Upto Rs. 10.00 Lakhs
(ii)	Superintending Engineer	Upto Rs.1.00 crore	Upto Rs. 30.00 Lakhs
(iii)	Chief Engineer	Full Powers	Upto Rs. One Crore

Further, as per the G.O. first read above, for works costing Rs.100 Lakhs and above, it has been ordered that pre-qualification of the contractors, solvency capability, experience and technical knowledge should also be taken into consideration before issue of tender schedule to a contractor.

2. With a view to avoid delay in the examination of plan schemes and also reduce unnecessary correspondence, the Chief Engineer (General) has requested to enhance the aforesaid powers and pre-qualification limit. The Government after careful examination, have decided to enhance the powers of various officers and to revise the

pre-qualification limit. Accordingly, in partial modification of the Government orders first and second read above, the Government direct that the powers of the technical sanction and approval of tenders in Highways Department be enhanced and fixed as indicated in annexure to this order so as to speed up execution of works and prevent undue splitting of works subject to the condition that the competent tender accepting authority should record reasons in writing for acceptance of tender excess with detailed justification for the same. This order comes into force with immediate effect.

3. The Government also direct that the pre-qualification limit of contractors shall be enhanced to Rs. 2.00 crores (Rupees Two crores only).

4. The Chief Engineer (General), Highways Department is requested to send necessary proposals for amending of Tamil Nadu Highways Manual accordingly.

5. This order issues with the concurrence of Finance Department vide its U.O. No.19565/PWD-1/2007, dated: 27.03.2007.

(By order of the Governor)

K. Allaudin
Secretary to Government.

To

All Chief Engineers / Director / Project Directors in Highways Department, Chennai

All Sections in Highways Department, Chennai - 9

All Departments in Secretariat, Chennai - 9

Copy to:

The Spl. P.A. to Chief Minister, Chennai - 9

The Spl. P.A. to Minister Highways, Chennai - 9

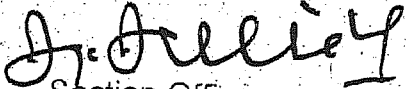
The Public (SC) Department, Chennai - 9

The Finance (PW-I / Salaries / LC) Department, Chennai - 9

The Secretary to Government, Public Works Department, Chennai - 9

Sf/Sc.

/Forwarded by Order/


Section Officer.

28/3/07

ANNEXURE

G.O. MS. No. 80, Highways (HN1) Department, Dated : 28.03.2007.

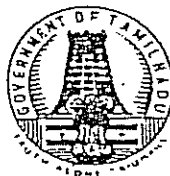
Sl. No.	Authority	Powers now delegated
I. <u>To Accord Technical Sanction</u>		
1	Divisional Engineer	Upto Rs.50.00 Lakhs
2	Superintending Engineer	Upto Rs.2.00 Crores
3	Chief Engineer	Full Powers
II. <u>To prepare and accord Technical Approval for Detailed Designs, Drawings and Estimates :</u>		
1	Chief Engineer (H) Designs & Investigation (for design oriented works)	Above Rs.2.00 Crores Chief Engineers upto Rs.2.00 crores and Superintending Engineer / Divisional Engineer's will have powers to approve designs and estimates as per their respective limits]
III. <u>To accept Tenders</u>		
1	Divisional Engineer	Upto Rs.15.00 Lakhs (upto 3% excess)
2	Superintending Engineer	Upto Rs.15.00 Lakhs (upto 6% excess) and Upto Rs.1.00 crore (upto 3% excess)
3	Chief Engineer	Upto Rs.1.00 crore (upto 6% excess) and Upto Rs.2.00 crore (upto 3% excess)
4	Board of Engineers	Upto Rs.50.00 Lakhs (above 6% excess)
5	Commissionerate of Tenders	Above 3% or 6% as the case may be for delegations not covered under Sl. Nos. 3 and 4. Above Rs.2.00 Crores (irrespective of tender excess)

K. Allaudin
Secretary to Government.

/true copy/


Section Officer.

28/3/07



Abstract.

Highways Department - Delegation of powers for approval of tenders to various Officers of Highways Department — Revised Orders- Issued.

Highways & Minor Ports (HN1) Department

G.O.(Ms) No.163

Dated:01.10.2012

Read

1. G.O. (Ms) No.80 Highways (HN1) Department, dated 28.03.2007
2. From the Director General, Highways Department, Letter No.4319/TC-AE/2012, dated 7.05.2012.
3. From the Director General, Highways Department, Letter No.6514/Tech cell/2012, dated 7.05.2012
4. From the Director General, Highways Department, Letter No.6514/Tech cell/2012; dated 27.07.2012

Order:-

In the G.O. first read above, orders have been issued enhancing and fixing the powers of various officers of Highways Department for the technical sanction and approval of tenders in Highways Department.

2. In the letter third read above, the Director General, Highways Department has stated that if the package system is re-introduced, the works are proposed to be grouped to form packages, to a total value of Rs. 5 Crores to Rs. 15 Crores, then the number of packages costing Rs. 5 Crores, under plan works will be around 400 and under non plan works will be 100. The Tender proposals for all these packages have to be placed before Commissionerate of Tenders for approval, which will accumulate pressure to Commissionerate of Tenders in many fold.

3. The Director General, Highways Department has also stated that, in order to reduce the accumulation of work pressure to the Commissionerate of Tenders and to avoid cost overrun and time over run of the project, the tender approving powers of the Chief Engineers of Highways Department may be enhanced from Rs.2.00 Crores to Rs.10.00 Crores at Estimate Rate (or) below Estimate Rate for easy finalization of tender and speedy entrustment of works and thereby completion of project in time without any additional expenditure. The Director General, Highways Department has, therefore, requested the Government to enhance the tender approving powers of the Chief Engineers of Highways Department as detailed below, along with the powers delegated in the G.O. first read above:-

To accept Tenders	
	Enhanced powers now proposed
Chief Engineer	Upto Rs.1.00 Crore (upto 6% excess)
	Upto Rs.10.00 crores without tender premium at estimate rate (or) below estimate rate.

4. The Government after careful examination have decided to enhance the powers of Chief Engineers, Board Of Engineers and Commissionerate of Tenders. Accordingly, in partial modifications of the Government order first read above, the Government direct that the powers of approval of tenders in Highways Department to the Divisional Engineers, Superintending Engineers, Chief Engineers, Board Of Engineers and Commissionerate of Tenders be enhanced and fixed as indicated in annexure to this order.

6. With respect to Serial No.3 of the Annexure, irrespective of the delegation made above, any subsequent variation in work value beyond 1% shall come to Commissionerate of Tenders for decision.

7. This order issues with the concurrence of Finance Department vide its U.O No.609/JS(Dr.PU)2012, dated.27.09.2012.

(By Order of the Governor)

Niranjan Mardi,
Principal Secretary to Government

To

- The Director General, Highways Department , Chennai-5
- ✓ The Chief Engineer (Construction and Maintenance), Chennai-5
- All Chief Engineer's , Highways Department Chennai
- All Department of Secretariat, Chennai-9

Copy to

- The Principal Secretary II to Hon'ble Chief Minister, Chennai-9
- The Special PA to Minister (Finance) , Chennai-9
- The Special PA to Minister (Highways & Minor Ports) , Chennai-9
- The P.S. to Principal Secretary to Government, Highways & Minor Ports Department, Chennai-9
- The Public (SC) Department, Chennai-9.
- The Finance Department, Chennai-9
- All Sections of Highways & Minor Ports Department, Chennai-9.
- SF/SC

//Forwarded by Order//


11/10/12
Section Officer

Annexure

G.O. (Ms) No.163,Highways & Minor Ports (HN1)Department dated.01.10.2012

III. Delegation of Authority to Accept Tenders				
Sl. No.	Authority	Proposed delegation of Powers		
			Contract Value (Rs in Crore)	Tender Excess
1	Divisional Engineer		Upto Rs.0.15 Cr	Upto 3%
2	Superintending Engineer	a	Upto Rs.0.15 Cr	Upto 6%
		b	Upto Rs.1.00 Cr	Upto 3%
3	Chief Engineer	a	Upto Rs.1.00 Cr	Upto 6%
		b	Existing powers of Upto Rs.2.00 Cr may be deleted since all the works costing more than Rs.1.00 Crore involve price escalation clause and tender premium powers are vested with COT	Upto 3% (may be deleted)
		c	Above Rs. 1.00 Cr to Rs.6.00 Cr (for individual works)	All cases with no Tender Excess
		d	For more than 1.00 Cr. to Rs.7.5 Crore (for packages)	All cases with no Tender Excess
4	Board of Engineers	a	As per existing G.O. (Ms) No.80, Highways Department dated 28.03.2007, this may be retained upto Rs.50 lakhs	Above 6% and upto 10% excess
5	Commissionerate of Tender	a	Upto 50 lakh	Above 10% excess
		b	Upto Rs.1.00 Cr	Above 6% excess
		c	Above Rs.1.00 Cr to Rs.6.00 Cr for individual works	All cases with any tender excess
		d	1.00 cr to 7.50 cr (for packages)	
		e	Above Rs.6.00 Cr (individual works) above 7.50 cr (for all packages)	All cases irrespective of tender excess

Niranjan Mardi,
Principal Secretary to Government

/True copy/


Section Officer 11/10/12

014914



Abstract

Highways Department – Re-introduction of package system - Inviting Tenders for Road works –Amendment to Tamil Nadu Highways Manual volume IV – Orders – Issued.

Highways & Minor Ports (HN1) Department

GO.(Ms).No.162

Dated:01.10.2012

Read

1. G.O. (Ms) No.88 Highways Department, dated 7.05.2003
2. G.O. (Ms) No.147 Highways Department, dated 1.08.2003
3. G.O.(Ms) No.125, Highways Department, dated 4.08.2006
4. From the Director General, Highways Department, Letter No.4319/TC-AE/2012, dated 7.05.2012.
5. From the Director General, Highways Department, Letter No.6514/Tech cell/2012, dated 7.05.2012 even no dated 27.07.2012.
6. From the Chief Engineer (Construction & Maintenance) Highways Department Letter No.3775/Contract.1/2012-2/ dated 21.08.2012.

Order:

In the G.O. first read above, orders have been issued that tenders in a division be invited in packages in respect of all works to be taken up with the loan assistance from NABARD and HUDCO excepting works taken up under CRF and National Highways works. Prior to the issue of above G.O., the road and other works in Highways Department were executed by calling for tenders for individual works.

2. In the G.O. second read above, orders have been issued that the divisionwise packaging was modified into sub-divisionwise packaging with further exemption that for capital works costing Rs.5.00 Crores and above and for works taken up during natural calamities for which tenders could be invited for individual works.

3. In the G.O third read above, orders were issued that the Sub-Divisionwise package system for calling tenders was withdrawn on the basis of representation received from the section of contractors as well as on the recommendations of the Board of Engineers.

4. In the letters fourth and fifth read above, the Director General Highways Department has proposed to Re-introduce Package system, in which number of works may be grouped to a value of Rs.5.00 Crores to Rs.15.00 Crores as a major work for easy execution. He has putforth the advantages/justifications of the system which are envisaged as follows:-

- i) Only Major contractors having sufficient knowledge in Road Management System with sound financial capacity can participate in the tender under package system.
- ii) Major contractors will be having sufficient Tools and Plants including CMP site. Hence, the quality of work at site and CMP can be ensured properly.
- iii) If the works are to be executed at remote areas and in difficult terrains, the contractors would not come forward to participate in the tenders. But if these works are grouped together under package system, the major contractors will take part in the tenders without hesitation, which in turn speed up the execution and early completion.
- iv) Price adjustment clause is applicable for the value of works more than Rs.1.00 Crore. Hence, sudden variation in cost of material will not affect the contractors, which invite more number of contractors to participate in tenders with competition.

5. As per the prevailing orders the tenders of the works costing Rs.1.00 crore to Rs.2.00 crores without tender premium are approved by the Chief Engineer (Highways) concerned.

6. The Director General, Highways Department has stated that, if the package system is Re-introduced, the works are proposed to be grouped to form packages, to a total value of Rs. 5 Crores to Rs. 15 Crores, then the number of packages costing Rs. 5 Crores, under plan works will be around 400 works and under non plan works will be 100. The Tender proposals for all these packages have to be placed before Commissionerate of Tenders for approval, which will accumulate pressure to Commissionerate of Tenders in many fold. In order to reduce the accumulation of work pressure to the Commissionerate of Tenders and to avoid cost over run and time over run of the project, the tender approving powers of the Chief Engineers Highways may be enhanced from Rs.2.00 Crores to Rs.10.00 Crores at Estimate Rate (or) below Estimate Rate for easy finalization of tender and speedy entrustment of works and thereby completion of project in time without any additional expenditure.

7. In the 139th Meeting of Board of Engineers held on 28.3.2012 it was resolved to recommend the proposal to Government for obtaining necessary orders to introduce package system in which number of works may be grouped to a value of Rs.5.00 Crores to Rs.15.00 Crores and the proposal of enhancement of tender approving powers of the Chief Engineers.

8. The Chief Engineer (Construction and Maintenance), Highways Department in his letter sixth read above has proposed certain guidelines /conditions for the proposed packaging system which are as follows:-

(I) Plan Works:

(a) The works are to be packaged for Rs.5 Crores to 15 Crores.

(b) The works in a Sub-Division are to be clubbed to form a single package.

(c) Whenever the works in a subdivision is less than Rs.5 Crores, the works in that sub-division are to be clubbed with adjoining sub-division, within the division to form a single package of Rs.5 Crores to Rs.15 Crores.

(d) Whenever the works in a subdivision are more than Rs.15 Crores, the works with in the subdivision are to be clubbed in a way to form package of Rs.5 Crores to Rs.15 Crores. The number of packages within subdivision shall be kept minimum as far as possible. The value of package shall be kept equal as far as technically possible.

(e) When the value of the individual work exceeds Rs.6 Crores, tender may be invited as individual work.

(f) The works are not to be clubbed across divisions, schemes in any case.

(II) Non Plan works:-

For non plan works, the works are to be clubbed in each subdivision irrespective of the value of the package. However the upper limit shall not exceed Rs.15 Crores.

(III) Natural Calamity works:-

The emergency works carried out during natural calamities are to be exempted from packaging.

(IV) Centrally Sponsored Schemes:- (Deposit works/ Other department works).

The packaging is not applicable to centrally sponsored schemes/ deposit works and other service department works.

9. The Director General, Highways Department has therefore requested orders of the Government on the following :-

To introduce package system for inviting tenders, wherein works are proposed to be grouped to a total value of Rs.5.00 Crores to Rs.15.00 crores, and to amend para 157 of Tamil Nadu Highways Manual Volume IV accordingly.

10. The Government have, carefully, examined the recommendations of the Director General, Highways Department and Chief Engineer (C&M) Highways Department and decided to accept the re-introduction of package system for inviting tenders wherein works are proposed to be grouped to a total value of Rs.5.00 crores to Rs.15.00 crores as per the guidelines/conditions mentioned in para 8 above. Accordingly, the following amendments are issued to Tamil Nadu Highways manual volume IV.

Amendment

For the existing Para 157 of Tamil Nadu Highways Manual. Volume- IV and the proviso made there under, the following shall be substituted namely:-

"157 - Tender documents must be prepared for each package or work. as the case may be, separately and noted in a register. The name of the works or packages. as the case may be, the names of persons to whom the forms are sold and date should be entered in the forms making necessary entries in the register. Only such forms

sold by the department/ downloaded from the Tamil Nadu Government website should be deemed valid for a particular work/ package, as the case may be".

11. This order issues with the concurrence of Finance Department vide its U.O No.609/JS(Dr.PU)2012, dated.27.09.2012.

(By Order of the Governor)

Niranjan Mardi,
Principal Secretary to Government

To,
The Director General, Highways Department , Chennai-5
The Chief Engineer (C&M) Highways Department , Chennai-5
All Chief Engineer , Highways Department Chennai
The Accountant General, Chennai-18/35
The Finance Department Chennai-9

copy to

The Principal Secretary II to Hon'ble Chief Minister, Chennai-9
The Sr. PA to Minister (Finance) , Chennai-9
The Sr. PA to Minister (Highways & Minor Ports Department) , Chennai-9
The PS to the Principal Secretary to Government, Highways & Minor Ports
Department Chennai-9
The Chief Minister's Office, Chennai-9
All officers/sections in Highways & Minor Ports Department Chennai-9
The NIC, Chennai-9
SF/SC

//Forwarded by Order//


Section Officer.
11/10/12