

**GOVERNMENT OF TRIPURA  
PUBLIC WORKS DEPARTMENT**

No.F.8 (5)/PWD( C)/2015(Pt.-I)/9093 -/43

Dated, Agartala, the 15<sup>th</sup> Feb. 2020.

**NOTIFICATION**

**Subject:** - Rules for Enlistment of Contractors in PWD, Tripura 2020 ((1<sup>st</sup> Amendment).

The Governor of Tripura has been pleased to make the following amendment to the existing "Rules for Enlistment of Contractors in PWD, Tripura 2020".

Sl. No	Clause No./ Reference no.	Enlistment Rule: 2020	As amended
1.	5.1.1	<p>If two or more individuals each having enlistment in class-I, class-II, class-III or class-IV(A) form a partnership firm and if any of these partners is having required work experience to become eligible for enlistment in class-I(composite), Class-I or class-II(composite), class-II or class-III in which enlistment is sought, their case shall be considered for enlistment of the partnership firm subject to fulfilment of other laid down criteria.</p> <p>Similarly, the past work experience gained from the works completed within the last 5 years by the sole proprietor or any partner of the said firm, provided he has left or disassociated himself from his earlier firm, shall also be considered in the same proportion of share of the applicant in that of the previous partnership firm.</p> <p>If the partner whose work experience has been considered for enlistment of a firm disassociated himself from the firm and any of the other partner(s) is not having required work experience to become eligible for enlistment in that class then the enlistment will stand cancelled. The partnership deed shall have to be registered in the Registrar/sub-registrar office.</p>	<p><b><u>If any individual(s) having enlistment or not form a partnership firm with a registered class-I/class-II/class-III or class-IV (A) contractor</u></b> and if any of these partners is having required work experience to become eligible for enlistment in class-I(composite), Class-I or class-II(composite), class-II, class-III and <b><u>class-IV(A)</u></b> in which enlistment is sought, their case shall be considered for enlistment of the partnership firm subject to fulfilment of other laid down criteria.</p> <p>Similarly, the past work experience gained from the works completed within the last 5 years by the sole proprietor or any partner of the said firm, provided he has left or disassociated himself from his earlier firm, shall also be considered in the same proportion of share of the applicant in that of the previous partnership firm.</p> <p>If the partner whose work experience has been considered for enlistment of a firm disassociated himself <b><u>for any reason (other than death)</u></b> from the firm and any of the other partner(s) is not having required work experience to become eligible for enlistment in that class then the enlistment will stand cancelled. <b><u>In case of death of Prime Partner of a firm, the credentials can be used in the same name by the other partners' up to revalidation period (max 5 years) from the date of formation of that firm.</u></b> The partnership deed shall have to be registered in the Registrar/sub-registrar office.</p>

2.	5.2	<p>No Engineer or any other official employed in Engineering or Administrative duties in the Engineering Department of the Government of Tripura is allowed to work in the PWD either as <b>contractor</b> or as <b>employee of a contractor</b> for a period of two years after his/her retirement from Government service unless he/she has obtained prior permission of Government of Tripura to do so. Even after enlistment, if either the contractor or any of his/her employees is found to be a person who had not obtained the prior permission of Government of Tripura as aforesaid, the name of the contractor shall be removed from the list of enlisted contractors.</p>	<p>No Engineer or any other official employed in Engineering or Administrative duties in the Engineering Department of the Government of Tripura is allowed to work in the PWD either as <b>contractor /firm/partner of a firm or as employee of the same</b> for a period of two years after his/her retirement from Government service unless he/she has obtained prior permission of Government of Tripura to do so. Even after enlistment, if either the contractor / <b>firm</b> or any of his/her employees is found to be a person who had not obtained the prior permission of Government of Tripura as aforesaid, the name of the contractor / <b>firm</b> shall be removed from the list of enlisted contractors / <b>firm</b>.</p>
3.	12.0 (Note no. 3 under table 3 is added)	-----	<p><b>Table 3, note no 3;</b></p> <p><b><u>A graduate Engineer who have applied for enlistment to class-IV (A), may own or hire the required T&amp;P / Machineries as prescribed in table-3. In case of hiring the same a self declaration is to be submitted with the application form.</u></b></p>
4	12.2	<p><b>Experience:</b> - The criterion for experience, in case of enlistment/up gradation to any appropriate class (i.e. from any lower class to any upper class) shall be the completion of requisite number of works, as given in <b>Table-4</b>, of prescribed nature and magnitude executed on independent contract basis, during the last <b>five years</b> without levy of compensation (works executed on labour rate contract will not be considered). The works should be executed in the same name &amp; style in which the enlistment is sought. In case the applicant is an individual or Sole Proprietorship firm, the work experience gained from the works completed by the sole proprietorship firm or in 'individual' capacity respectively and/or as Partner of earlier firm, provided he/she has left or disassociated himself/herself from his/her earlier firm, shall also be considered in the same proportion of share of the applicant in that partnership firm. Graduate Engineer/ Diploma Engineer (excluding those</p>	<p><b>Experience:</b> - The criterion for experience, in case of enlistment/up gradation to any appropriate class (i.e. from any lower class to any upper class) shall be the completion of requisite number of works, as given in <b>Table-4</b>, of prescribed nature and magnitude executed on independent contract basis, during the last <b>five years</b>. <b><u>But the works against which levy of compensation has been imposed, will not be considered for credentials. The value of executed works in last 5 years shall be brought to current costing level by enhancing the actual value of work at simple rate of 6.5% per annum, calculated from the date of completion to the last date of validity of enlistment or date of submission of application whichever is earlier</u></b> The works should be executed in the same name &amp; style in which the enlistment is sought. In case the applicant is an individual or Sole Proprietorship firm, the work experience gained from the works completed by the sole proprietorship firm or in 'individual' capacity respectively and/or as Partner of earlier firm, provided he/she has left or disassociated himself/herself from his/her</p>

		<p>employed with Government Organisations/ PSUs/ Institutions etc) of any engineering stream and graduated from a recognised Institution/University can directly apply for enlistment in class IV (A) and class IV (B) respectively in lieu of experience of works. Such applicant will be enlisted in individual class.</p> <p>The applicant shall furnish list of completed works in Annexure -III (1) and works not yet completed in Annexure -III (2) as well as Client Certificate regarding performance of contractors in proforma as per Annexure-IV.</p>	<p>earlier firm, shall also be considered in the same proportion of share of the applicant in that partnership firm. Graduate Engineer/Diploma Engineer (excluding those employed with Government Organisations/ PSUs/ Institutions etc) of any engineering stream and graduated from a recognised Institution/University can directly apply for enlistment in class IV (A) and class IV (B) respectively in lieu of experience of works. Such applicant will be enlisted in individual class.</p> <p>The applicant shall furnish list of completed works in Annexure -III (1) and works not yet completed in Annexure -III (2) as well as Client Certificate regarding performance of contractors in proforma as per Annexure-IV.</p>
5.	12.5	<p>All the enlisted contractors /applicants are required to possess valid GST registration on the date of application for enlistment.</p>	<p>All the enlisted contractors /applicants are required to possess valid GST registration on the date of application for enlistment.</p> <p><i>N.B: In case of new enlistment in the category of Class-IV (A) [Graduate Engineers only], Class-IV (B) [Diploma Engineers only] &amp; Class-V, GST registration certificate is not mandatory.</i></p>
6.	14.0	<p><b>Change in Constitution of Firm:</b> The contractor/firm shall not modify the existing partnership or enter into any fresh partnership or change the name of firm without the prior approval of the enlistment authority. Such proposal, if any, shall be submitted in advance giving full details of the intended partnership/sole proprietorship along with the draft partnership deed /affidavit and documents as per Annexure-VI. Any change in status of the contractor as an 'Individual' or in constitution of the firm or change in the name of firm without prior approval of the enlistment authority, will render the contractor/firm liable to be removed from the approved list of contractors. <b>In case the Graduate Engineer (excluding those employed with Govt. organizations/PSU/Institution etc), enlisted in Class-IV(A) intends to convert his/her individual enlistment into a partnership firm, he shall have to complete his/her work experience for a period of 5 (five) years from the date of enlistment.</b></p>	<p><b>Change in Constitution of Firm:</b> The contractor/firm shall not modify the existing partnership or enter into any fresh partnership or change the name of firm without the prior approval of the enlistment authority. Such proposal, if any, shall be submitted in advance giving full details of the intended partnership/sole proprietorship along with the draft partnership deed /affidavit and documents as per Annexure-VI. Any change in status of the contractor as an 'Individual' or in constitution of the firm or change in the name of firm without prior approval of the enlistment authority, will render the contractor/firm liable to be removed from the approved list of contractors.</p> <p><i>"In case the Graduate Engineer (excluding those employed with Govt organizations/PSU/Institution etc), enlisted in Class-IV(A) intends to convert his/her individual enlistment into a partnership firm, he shall have to complete his/her work experience for a period of 5 (five) years from the date of enlistment."</i></p> <p><u>Statement under quotation has been deleted.</u></p>

7.	14.2	If new partners are taken in the firm, each new partner shall have to satisfy the eligibility criteria mentioned in Rule 12.0 and its sub rule.	<u>Deleted</u>
8.	14.3	If the number of <b>original partners</b> of the firm or if upon reduction of the number of original partners the share of <b>original partners</b> remaining in the partnership reduces to less than half due to any reason including death of partner(s) the enlistment of the firm shall be considered to be ceased. <b>Original partners</b> mean constituents at the time of Enlistment and those who have remained as constituent for more than 5 years. Similarly, in case of resignation, on whose experience the firm was originally enlisted, the eligibility criteria (financial as well as work experience) of the remaining partners shall be assessed as per the enlistment rule by the enlistment authority and accordingly grade of the firm will be determined.	<u>Any individual(s) having enlistment or not can form a partnership firm with a registered class-I/class-II/class-III or class-IV (A) contractor.</u> If the number of <u>partners</u> of the firm or if upon reduction of the number of <u>partners</u> the share of <u>partners</u> remaining in the partnership reduces to less than half due to any reason <u>other than</u> death of partner(s) the enlistment of the firm shall be considered to be ceased. <u>In case of death of Prime Partner of a firm, the credentials can be used in the same name by the other partners' up to revalidation period (max 5 years) from the date of formation of that firm.</u> <u>Prime partners</u> mean constituents at the time of Enlistment and those who have remained as constituent for more than 5 years. Similarly, in case of resignation of the <u>prime partner in a firm</u> , the eligibility criteria (financial as well as work experience) of the remaining partners shall be assessed as per the enlistment rule by the enlistment authority and accordingly grade of the firm will be determined.
9.	18.0	<b>Revalidation of enlistment:</b> –Only the contractor who has secured at least one work of appropriate magnitude in PWD, Agriculture department, Rural Development dept. CPWD, MES, Railways, TTAADC, other state/ central govt. organisations and any <b>Private organisation</b> during the period of enlistment or last revalidation period of enlistment as the case may be, shall be considered for revalidation. <i>During re-validation of Enlistment the contractor has to submit documentary proof (e.g. EPF statement / Pay role etc.) of Engineers / key personnel engaged as an employee at his establishment serving for last 3 years.</i>	<b>Revalidation of enlistment: <u>Category I :</u></b> The contractor who has secured at least one work in PWD, Agriculture department, Rural Development dept. CPWD, MES, Railways, TTAADC, other state/ central govt. organisations and any <b>Private organisation</b> during the period of enlistment or last revalidation period of enlistment as the case may be, shall be considered for revalidation.  <b><u>Category II: The contractor who has participated in tendering process for at least 3 (three) nos of work of appropriate magnitude in PWD, Agriculture department, Rural Development dept. CPWD, MES, Railways, TTAADC, other state/ central govt. organisations and any Private organisation during the last revalidation period of enlistment as the case may be, but could not qualify as LI contractor, shall be considered for revalidation.</u></b>  <b><u>(refer annexure VIII &amp; IX)</u></b>  <b><u>N.B: In case of elected representative of three tier Panchayet, Urban bodies and</u></b>

			<u>village council, who held the office of profits or enjoyed the benefit of honorarium / remuneration / salaries for the post held by him shall have to apply for revalidation (in the same class in which they existed before holding the post) after successful completion of their tenure along with proof of holding the post during their tenure. In this case, the period of their tenure as an elected representative shall not be counted for evaluation of turn over etc.</u>
10	19.0	Performance Report	Performance report (for category I only)
11.	Annexure: I Column 7(h)	Member of Parliament or any State Legislative Assembly	Member of Parliament or any State Legislative Assembly or <u>elected representative of Panchayat, Urban bodies and village council.</u>
12	Annexure: I Column 17(viii) Newly Added.	-	viii) <u>I/We declare that I/We am/are not employed by the Government, Government Undertaking or local Bodies.</u>
13.	Annexure:VIII Column 8	Name of Bankers with full address ..... And The sum of annual financial turnover on construction works of the firm in the last three years duly certified by the Chartered Accountant in proforma Annexure-V-2, should be at least equal to amount of banker's certificate (for Class-I composite, class-I, Class-II composite & Class-II).	<u>Deleted</u>
14.	Annexure:VIII Column 13	Full time technical staff employed in applicant's Establishment during last 3 years: (a) Graduate Engineers (no.) ----- (b) Diploma Engineers (no.)-----	<u>Deleted</u>
15.	Annexure:VIII Column 14	Does the applicant have sufficient T&P, Machinery, Equipment and workshop as per requirements mentioned in the Enlistment Rules for the class applied for... Yes / No [Attach details on separate sheet]	<u>Deleted</u>
16.	Annexure:VIII Column 15	Details of PWD and non PWD works completed, in progress and secured during the last enlistment / revalidation period (to be filled in the Proforma as given in Annexure-III -1 & III-2). This list should include all works in progress whose gross	Details of PWD and non PWD works completed, in progress and secured during the last enlistment / revalidation period (to be filled in the Proforma as given in Annexure-III -1 & III-2). This list should include all works in progress whose gross amount of works done is more than the

		amount of works done is more than the required magnitude for the class in which registration is required. <b>Receipted copy of the Annexure-VII for PWD works also to be enclosed.</b>	required magnitude for the class in which registration is required. <b>Receipt copy of the Annexure-VII for PWD works also to be enclosed.(applicable for contractors falling under category I as per clause no 18.0)</b>  <b><u>However, Contractors falling under category-II have to submit the proof of participation in the bidding process (both online and offline) certified by the competent authority of the respective department.</u></b>
17.	Annexure:VIII Column 16(b)	I/none of the partners/Directors retired as an Engineer of Gazetted rank or as any Gazetted Officer employed on Engineering or Administrative duties in last <b>One year.</b>	I/none of the partners/Directors retired as an Engineer of Gazetted rank or as any Gazetted Officer employed on Engineering or Administrative duties in last <b>Two years.</b>
18.	Annexure:VIII Column 16(c)	that we have neither under our employment any such person nor shall we employ any person within <b>One year</b> of his retirement except with the prior permission of the Government.	that we have neither under our employment any such person nor shall we employ any person within <b>Two years</b> of his retirement except with the prior permission of the Government.
19.	Annexure:IX Column 2	(i) Banker's/working capital certificate in original from scheduled bank in the proforma given in the Enlistment Rules. The certificate should be on the bank's letter-head and in sealed cover and shall be addressed to the concerned Enlistment Authority. {Annexure-V(1)} (ii) The average annual turnover on Construction works/ Civil works in the last three years duly certified by the Chartered Accountant, as submitted by the applicant to the Income Tax Department for class-I composite, class I, class II composite and class II shall be as per Rule 12.3.	<b><u>Deleted.</u></b>
20.	Annexure:IX Column 5	Annexure III – (1 & 2) List of works completed, in progress & secured during last enlistment/ revalidation period.	Annexure III – (1 & 2) List of works completed, in progress & secured during last enlistment/ revalidation period <b><u>(wherever applicable).</u></b>
21.	Annexure:IX Column 6	Self-Attested copies of award letters for works included in Annexure III	Self-Attested copies of award letters for works included in Annexure-III <b><u>(wherever applicable).</u></b>

22.	Annexure:IX Column 7	Copies of Annexure – VII with acknowledgement of E.E/A. E	Copies of Annexure – VII with acknowledgement of E.E /A.E ( <u>wherever applicable</u> ).
23.	Annexure:IX Column 9	Documentary proof (e.g. EPF statement / Pay role etc.) of Engineers / key personnel engaged as an employee at his establishment serving for last 3 years wherever applicable	<u>Deleted</u>
24.	Annexure:IX Column 10 (newly added)	-----	<u>Proof of participation in the bidding process (both online and offline) only for the Contractors falling under category-II</u>

This amendment comes into effect from the date of this notification.

By the order of the Governor.

(Nirmal Pal) 15/2/21  
Deputy Secretary, PWD

To  
The Superintendent, Tripura Government Press, Agartala.  
Three copies of this notification are enclosed with request for publication in the next issue of Tripura Gazette.  
Enclo : As stated.

**Copy forwarded to:**

- 1) PS to all Principal Secretaries/ Secretaries of all Department of Govt. of Tripura.
- 2) All Chief Engineers, PWD(R&B)/DWS/WR/Buildings/PMGSY/NH, Agartala.
- 3) The Chief Engineer, Rural Development Department, Govt. of Tripura.
- 4) The Chief Executive Officer, TH&CB, Agartala.
- 5) All Head of the Departments, Government of Tripura.
- 6) All Addl. Chief Engineers, PWD(R&B)/DWS/WR/Buildings/PMGSY/NH, Agartala.
- 7) All Executive Engineers, PWD(R&B)/DWS/WR/Buildings/PMGSY/NH, Agartala.
- 8) ITCC, PWD, Netaji Chowmuhani, Agartala for publication in homepage of PWD.
- 9) Guard file.