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GOVERNMENT OF ARUNACHAL PRADESH
SECRETARIAT PWD (WORKS) BRANCH
ITANAGAR

NOTIFICATION

The 13th August, 2015

No SPWD/W-66/2012.—In exercise of the powers conferred by Section 5 of the Arunachal Pradesh District Based Entrepreneurs and Professionals (Incentives, Development and Promotional) Act, 2015, the Governor of Arunachal Pradesh is pleased to make the following rules namely

1 **Short title, extent and commencement** : (i) These Rules may be called the Arunachal Pradesh District Based Entrepreneurs and Professionals (Incentives, Development and Promotional), Rules, 2015.

(ii) It shall extend to whole of the State of Arunachal Pradesh

(iii) It shall come into force on such date as the State Government may be notification in the Official Gazette.

2. **Definition** : In this Rule, unless the context otherwise requires : (i) Rule means the Arunachal Pradesh District Based Entrepreneurs and Professionals (Incentive, Development and Promotional) Rules, 2015.

(ii) **District Based Entrepreneurs and Professional** : mean any person who is involved in the activity of Execution of Development and Welfare Projects of the Government and includes Architect, Engineers, Contractors, Developers and Doctors etc. but does not include any Government official. The Entrepreneurs must be an indigenous of Arunachal Pradesh and a permanent resident of the concerned district.

(iii) Government means the Central or the State Government as the case may be

3. **Applicability of the Rules** : These Rules shall be mandatorily applied to all works undertaken by various agencies, Departments under the Government of Arunachal Pradesh including works and Development Departments such as Public Works Department (PWD), Rural Work Department (RWD), Water Resource Department (WRD), Public Health Engineering Department and Housing Department (PHED), Hydro Power Department (HPD), Urban Department and Housing Department (UD and HD), Department of power (Elect.), Forest Department, Agriculture, Horticulture, Animal Husbandry and Veterinary and Dairying, Rural Development Department etc.

4. **Methods and Procedures of selection of District Based Entrepreneurs** : (i) As per the provisions of section 3, the following schedules shall be followed by all agencies and Government Department in the selection of contractor for the execution of works within the state after an NIT has been called.

SCHEDULE

Sl. No.	Cost of Works	Eligibility
1	2	3
1.	Upto ₹ 50 00 lacs	All registered contractors in Class V and IV categories domiciled within the territorial Jurisdiction of Community Block.
2.	Above ₹ 50.00 lacs and upto ₹ 1.00 crore	All registered contractors in Class IV and Class III categories domiciled within the territorial jurisdiction of Assembly Constituency.

1	2	3
3.	Above ₹ 1.00 crore and upto ₹ 3.00 crore	All registered contractors in Class III categories domiciled within the territorial jurisdiction of Assembly Constituency.
4.	Above ₹ 3.00 crore and upto ₹ 5.00 crore	All registered contractors in Class II categories domiciled within the territorial jurisdiction of Assembly Constituency.
5.	Above ₹ 5.00 crore and upto ₹ 10.00 crore	All registered contractors in Class I categories domiciled within the territorial jurisdiction of the District.
6.	Above ₹ 10.00 crore	All registered contractors in Class I and contractors eligible for National and International Competitive Bidding.

(ii) The Contractors/Entrepreneurs before participating in the tenders must satisfy the following conditions :

- The District Based Entrepreneurs and Professionals must be duly registered under the Arunachal Pradesh Contractors Enlistment Rules, 2008 in the appropriate class of category and that the Registration is must be valid on the date of participation of tender, a copy of which must be submitted to the tendering authority.
- If the District based Entrepreneurs and professionals who have their firm already got registered as contractors under Arunachal Pradesh Contractors Enlistment Rules, 2008 have the address different from their domiciled territorial jurisdiction, they shall be allowed to participate in the tender on production of proof of permanent resident certificate in support of their claim.
- The contractors who has been awarded the work by call of tender shall not sub-let his work, falling which the authority shall be competent to rescind the contract and take suitable course of action.
- The Categories - IV and V contractors shall be exempted from requirement for producing proof of completion of works similar type in last five years to qualify for participation in a tender.
- In the larger interest of the public and for equitable distribution of developmental works amongst eligible contractors and also to ensure effective management and quality of works, a contractor shall be allowed to have only 2 (two) works in hand in any of departments under Government of Arunachal Pradesh at a time and for which he shall make a declaration to be executed in an Affidavit that he is not engaged in more than two any tenders works under the State Government. He shall also, for participation in any tender be required to submit completion certificate issued by the Engineer-in-charge, duly counter signed by the concerned Superintending Engineer and Chief Engineer.
- In the event of inadequate response to a tender invited at block level/Assembly Constituency level, the eligible contractor of adjacent block/Assembly Constituency within the district shall be eligible to participate in the subsequent call of that tender.
- In the event of inadequate response to a tender invited at District level, tender for an amount of ₹ 5 crore to ₹ 10 crore, all eligible indigenous of Arunachal contractor domiciled and registered under Arunachal Pradesh Contractor Enlistment Rule, 2008 shall be eligible to participate in the subsequent call of that tender and if the cost of works is above ₹ 10 crore, all the registered contractors in Class I and contractors shall be eligible to participate.

5. **Appointment of Designated Authority :** (i) The State Government as required under the Section 4 of the said Act shall by an order designate the Chief Engineer/Superintending Engineer of the concerned Engineering Zone to be the designated authority for evaluation and monitoring the implementation of Act.

(ii) The State Government as required under the Section 4 of the said Act, shall also by an order designate the an officer of the concerned development department to be the designated authority for evaluation and monitoring the implementation of Act.

6. **Functions of the Designated Authority :** (i) The designated authority shall be competent to call for reports/records from any work agencies pertaining to the activities which are covered by the said Act and issue necessary orders to that effect which shall be complied with by the concerned work agencies.

(ii) The designated authority shall function on ex-officio basis and authority with existing supporting establishments under him.

7. **Delegation of financial power:** (i) Delegation of financial power of officers of various department to invite and accept tenders shall be as per procedure as laid down in the relevant provision of CPWD works manual except otherwise where there is specific directives issued by the competent authority.

(ii) In case of Development departments, the same shall be as per normal guidelines and instructions issued from time to time.

Tajom Taloh
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Government of Arunachal Pradesh,
Itanagar.