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Andaman and Nicobar Administration
 I fpoky; /Secretariat

Port Blair dated the 19th June, 2017

NOTIFICATION

No...../F. No. 33-5/2014-PWD- In supersession of Rules for Enlistment of Contractors in APWD, 2009 dated 01.07.2009, the Hon'ble Lt. Governor (Administrator), Andaman and Nicobar Islands has been pleased to frame the Rule for Enlistment of Contractors in Andaman Public Works Department, A&N Administration namely:

ENLISTMENT RULES OF CONTRACTORS IN APWD, 2017

- 1.0 These rules shall be called the "Enlistment Rules of Contractors in APWD, 2017" and shall come into force with effect from the date of notification.
 - 2.0 Short Title: Hereinafter these rules shall be referred to as "APWD Enlistment Rules - 2017" for the sake of brevity.
 - 3.0 Repeal and Saving.
 - 3.1 All Rules regarding enlistment/revalidation of contractors in APWD existing before coming into force of Enlistment Rules - 2017 are repealed by Enlistment Rules - 2017.
 - 3.2 Notwithstanding such repeal, the contractors already enlisted on the basis of rules hitherto in force shall continue to enjoy the status of enlisted contractors of APWD till the period of such enlistment, including revalidation/ extension granted before coming into effect of the Enlistment Rules - 2017 expires. However, in regard to all other matters and further revalidation of their enlistment, they shall be governed by the Enlistment Rules - 2017.
 - 3.3 And also, notwithstanding such repeal, applications for enlistment received with all required documents on or before of the date of notification of this rule shall be processed on the basis of Enlistment Rules - 2009 and amendments issued from time to time and enlisted if found fit.
- Note- Provision under Para 3.3 above i.e. cases to be processed as per Enlistment Rules-2009 relates to eligibility criteria for Enlistment/Revalidation of Enlistment. All other provisions like tendering limit, processing/ late fee, disciplinary action etc., shall be applicable as per Enlistment Rules-2017.
- 4.0 Applicability: APWD enlists contractors who intend to work with the department. It is done to have a ready list of suitable and competent contractors for APWD works so as to minimize requirement of verification of credentials of contractors at the time of individual tenders. At the same time only those contractors are allowed to continue in the list that remain active in APWD and perform well. Any Indian Individual, Sole Proprietorship Firm, Partnership Firm, Public Limited Company or a Private Limited Company may apply for enlistment as a contractor in APWD under these Rules provided the eligibility criteria and other conditions are satisfied. The enlisted contractors have to abide by all the rules made herein and as amended from time to time during the currency of their enlistment.
 - 4.1 No individual or a firm having such individual as one of the partners, who is a dismissed government servant; or removed from the approved list of contractors; or demoted to lower class; or having business banned/ suspended by any government department in the past; or convicted by a court of law shall be entitled for enlistment. However, cases where disciplinary action was taken against the contractor for a specified period and such penalty period is already over, his case for enlistment/ revalidation can be considered.

- 4.1.1 If two or more individuals form a partnership firm, and if any of the partners is having required work experience to become eligible for enlistment in any category in which enlistment is sought, their case shall be considered for enlistment of the partnership firm subject to fulfilment of other laid down criteria. Similarly, the past work experience gained from the work completed by the sole proprietor or any partner of new 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 partnership firm.
- 4.2 No Engineer or any other official employed in Engineering or Administrative duties in the Engineering Department of the Government of India is allowed to work in the APWD either as contractor or as employee of a contractor for a period of one year, after his retirement from Government service unless he has obtained prior permission of Government of India to do so. Even after enlistment, if either the contractor or any of his employees is found to be a person who had not obtained the prior permission of Government of India as aforesaid, the name of the contractor shall be removed from the list of enlisted contractors.
- 4.3 A contractor is permitted to have enlistment in more than one category and under more than one enlistment authority but not in more than one class of the same category in APWD.
- 4.4 A contractor is not permitted to have enlistment in more than one name.
- 4.5 A partner of a firm or a Director of a company enlisted as a contractor cannot be a partner/ director in any other enlisted firm/company in APWD.
- 4.6 A contractor can submit fresh application for enlistment if he fulfils all the eligibility criteria and provided he has participated in tendering process in APWD but remained second lowest or third lowest on more than 2 occasions during the validity period of his enlistment.
5. Scope: The enlistment of a contractor in APWD shall only entitle him to be considered for issue of tender papers subject to the conditions laid down in each individual Notice Inviting Tenders. It shall not confer any right on him either to be necessarily issued the tender papers or for award of work.
- 6.1 Enlistment Procedure: For all category of enlistment the application form in prescribed form (Annexure-1, i.e., Annexure –1-A of CPWD) is to be submitting to the enlisting authority with all documents as per Annexure-II.
- 6.2 Incomplete applications and applications not accompanied with necessary documents are liable to be rejected.
- 6.3 All verification, submission of reports etc are to be pursued by the applicant. Any delay on account of delay in verification, submissions of reports etc., will not entitle applicant for any type of enlistment.
- 6.4 The enlistment authority shall have the right to independently verify the details furnished by the contractor and to get works done by the contractor inspected and/or to get such other reports as may be considered necessary.
- 6.5 If the enlistment authority finds the contractor suitable for enlistment, it shall issue the enlistment order and, otherwise, send a letter of rejection of the application to the contractor. The decision of the enlistment authority shall be final and binding on the contractor.
- 6.6 The enlisting authority reserves right to limit number of contractors to be enlisted in any class or category on Andaman and Nicobar Islands/Location basis or any other manner decided by the department.
- 6.7 Enlistment of contractors in the department may be closed at any point of time. While closing the enlistment, the department may have a reserved list of eligible contractors from the pending applications. Out of this, contractors may be enlisted depending on requirement in a particular area or for the Andaman and Nicobar Islands as a whole.

7. The enlistment shall be valid for a period of five years. The enlistment can, however, be revalidated in accordance with rules in this regard. Each revalidation shall be for a period of five years from the date of expiry of the previous enlistment/revalidation. The enlistment shall be open to review by the enlistment authority and liable to termination, suspension or any other such action at anytime if considered necessary by the enlistment authority, after issue of show cause notice.
8. Categories & Classes – The enlistment shall be done in the categories and classes mentioned in Table-1.
9. Jurisdiction, Tendering Limits & Location of contractor’s office- The jurisdiction in which contractors enlisted in various categories and classes shall be permitted to tender in all over Andaman and Nicobar Islands and the tendering limit up to which they shall be eligible to tender shall be as given in Table-1. Tendering limit for different categories and class as per ‘APWD Enlistment Rules- 2017’ will be applicable to all contractors, whether enlisted after or prior to date of notification; Registered office of the contractor has to be in the same area as jurisdiction for tendering of class and category in which enlistment is sought.
 - 9.1 The contractor shall be governed by the provisions existing at a particular point of time irrespective of when he was enlisted.
10. Authorities for Enlistment: Enlistment in different categories and classes shall be done by different authorities. These are identified in Table I.
11. Eligibility Criteria: The contractors shall have to satisfy the minimum eligibility criteria specified in Table - I, before they can be considered for enlistment. All contractors are expected to keep abreast with enlistment/revalidation rules modified from time to time.
 - 11.1 The criterion for experience, in case of enlistment, shall be the completion of requisite number of works (see para 24.0 also), as the case may be, of prescribed nature and magnitude executed on independent contract basis or as a builder, during the last five years. The value of executed work in last five years shall be brought to current costing level by enhancing the actual value of work at simple rate of 7% per annum, calculated from the date of completion to the last date of validity of enlistment/revalidation or date of processing the case which ever is earlier. The works should have been executed in the same name and style in which the enlistment is sought or all the eligible work (s) should have been secured in the name of any one of the partner or work experience gained from the works completed by the sole-proprietor or any partner of new firm, provided he has left or disassociated himself from his earlier firm, shall also be consider in the same proportion of share of the applicant in that partnership firm. Enlistment of an individual in corresponding category may also be done based on his Technical Qualification in lieu of experience of completion of works in last 5 years if provision exists in Table - I of the Rules, but other eligibility criteria remaining the same.

The evaluation of performance of the contractor for the enlistment shall be done as per annexure – XA for the works executed in last five years.
 - 11.2 The financial soundness shall be judged on the basis of the Banker’s certificate or the working capital certificate, as the case may be, issued by the Bankers of the contractor on the format prescribed in Annexure-V. Such certificate shall be issued by a Scheduled Bank, Commercial Bank including Andaman and Nicobar State Cooperative Bank Ltd, and Axis Bank Ltd. and shall be submitted, in original, in a bank sealed cover, addressed to the enlistment authority.
 - 11.3 The criteria for enlistment/revalidation shall be as applicable on date of enlistment/revalidation. Applicant may be intimated when his application and verification is complete. The application may be decided within 90 days of such completion.
- 12.0 Processing fee: The contractor shall have to pay a non-refundable processing fee by crossed Demand Draft drawn in favour of the authority authorized by enlisting authority. For various categories and classes of enlistment, the fee is prescribed in Table-I. This fee is to be submitted along with application form to the enlisting authority.

- 13.0 Income Tax clearance: Deleted
- 14.0 Electrical License: The contractors of Electrical category shall have to produce valid electrical license from the competent authority in the name of the contractor. They shall keep valid license throughout the period of enlistment by getting it renewed at suitable intervals and submit an attested copy of the same to the enlistment authority after each renewal. In event of any discontinuity in validity of electrical license of the contractor, its enlistment and authority to work with APWD will also automatically cease to be valid. For applying for tenders for a work in any state they shall have to possess electrical license of appropriate voltage issued by any State Govt. under Clause 45 of compilation of rule of Indian Electricity Rules 1956 or as amended from time to time.
- 15.0 Change in Constitution of Firm: 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 without prior approval of the enlistment authority will render the contractor/firm liable to be removed from the approved list of contractors.
- 15.1 If a firm is converted in two or more firms by any action of its partners, the new firm(s) or any separated partner(s) in his (their) individual/joint capacity shall have to apply for the enlistment afresh on the basis of work experience gained as a separate entity.
- 15.2 If new partners are taken in the firm, each new partner shall have to satisfy the eligibility conditions mentioned in Rule 4.0.
- 15.3 If the number of original partners of a firm reduces to less than half due to any reason including death of partner(s)/ death of sole proprietors in case of sole proprietorship firm, the enlistment of the firm shall be withdrawn. Original partners means constituents at the time of enlistment and those who have remained as constituent for more than five years.
- 16.0 Change in address: While applying for enlistment, the contractor should mention address of his Registered office as well as Head Office, if different. All documents i.e. Bankers' Certificate, Electrical license etc. should bear one of the above addresses, otherwise the same shall not be accepted.
- 16.1 The contractor shall intimate the change, if any, any of above addresses, in advance or maximum within one month of such change along with acknowledgement of noting down of such change in address from the Bank, Income Tax, Sales Tax authorities etc. Failure to do so may result in removal of his name from the approved list of contractors.
- 17.0 Near Relatives Working in APWD: Contractors whose near relatives are Divisional Accountant or Engineering Officers between the grades of Superintending Engineer and Junior Engineer (both inclusive) in the Andaman Public Works Department will not be allowed to tender for works if the circle (Division in case of contractors of Horticulture/Nursery Category) responsible for award and execution of contract is the one where the near relative is working. For this purpose a near relative shall mean wife, husband, parents, grand parents, children, grand children, brothers, sisters, uncles, aunts, cousins and their corresponding in-laws.
- 18.0 Review of Approved List of Contractors: The contractor shall be required to secure works of appropriate magnitude in APWD during the revalidation/ enlistment period. Contractors shall be liable to be weeded out for non-observance of enlistment rules. For this purpose, the enlistment authority shall have the power to periodically review the approved list of contractors.

19.0 Revalidation of Enlistment: The validity of initial enlistment of the contractor shall be as given in Para 7.0. It shall, however, be revalidated on merits, if desired by the contractor. Only the contractor who has secured some works (see Para 24.0 also) of appropriate magnitude in APWD as well as CPWD, ALHW, MES, PBMC & PRIs etc., within the A&N Islands, provided the contractor must have participated in tendering process for at least 3 works in APWD (with documentary proof) during the period of enlistment or last revalidation period of enlistment as the case may be shall be considered for revalidation. Appropriate magnitude shall mean the minimum amount mentioned in the column 5 of Table-1 against relevant class/category. The revalidation shall be done for the period as detailed below:-

Category A: Enlistment of such contractors who satisfy the following criterion shall be considered for revalidation for a period of five years.

i) Securing two works of appropriate magnitude in APWD during last enlistment/revalidation period and at least one of them has been completed 100% and the second completed more than 50%. In case the work of appropriate magnitude have been completed / in progress in Government department as mentioned above other than APWD, the department will get the work inspected from appropriate authority of APWD and evaluation of the quality in annexure -X shall be based on this inspection.

ii) Securing and completion of one work of value three times the appropriate magnitude (for class V (Civil) contractor it shall be 1.5 times).

Category B: Enlistment of contractor, who secured only one work of appropriate magnitude during last enlistment/revalidation period and that even not completed, shall be extended for a period of two years. Revalidation for the balance period of three years shall be granted, only when the contractor satisfies the criterion laid down in category - A above. The work completed/secured as an associate contractor of the main contractor to whom a composite contract was/has been awarded, shall also qualify consideration of revalidation.

The value of executed work in last five years shall be brought to current costing level by enhancing the actual value of work at simple rate of 7% per annum, calculated from the date of completion to the last date of validity of enlistment/ revalidation or date of processing the case which is earlier.

19.1 Application for Revalidation:

19.1.1 The contractor shall apply for revalidation for his enlistment in the prescribed form 'Annexure- VIII' along with all documents as per Annexure-IX so as to reach the Enlistment Authority at least 6 months before expiry of his enlistment. The revalidation application with all documents shall however be accepted up to the date of expiry of enlistment with late fee.

19.1.2 In cases where the application is received after date of expiry of enlistment/revalidation, but within three months of expiry, the application can be accepted with double the late fee. Applications received, thereafter, shall not be accepted and contractor should apply for fresh enlistment, as per rules.

19.1.3 Enlistment/Revalidation processing fee is payable in the form of Demand Draft in favour of the authority, as authorised by enlisting authority. Late fee will be same as the enlistment processing fee as prescribed in Table-1 of 'Enlistment Rules-2017'.

19.1.4 On receipt of application for revalidation complete in all respect and with all necessary documents, provisional extension up to six months from the date of expiry of enlistment/date of issue of order, which ever is later may be issued.

19.1.5 In some cases orders of revalidation of enlistment of contractors were issued by the enlisting authority and in some case orders of revalidation were under process beyond validity of their enlistment was up to a period for three years prior to publication of notification whereas validity of their last enlistment was up to a date prior to date of notification. The gap between validity of last revalidation/enlistment and date of notification as provided in the order of revalidation shall be considered as period covered under revalidation.

20.0 Performance Reports:

- 20.1 The Contractor should fill up the details of each work, of appropriate magnitude, secured by him during the last revalidation/enlistment period, in the pro forma as given in Annexure-VII.
- 20.2 The list should include all works secured by him during the above mentioned period. In case, the contractor hides any information, his revalidation will be liable to be cancelled.
- 20.3 The contractor should fill up the details in the proforma as given in Annexure-VII, in duplicate. For each work, separated proforma should be filled. One copy of all the proforma should be submitted to the reporting officer and the acknowledgement obtained on the second copy of the proforma. This 2nd copy should then be submitted to the enlistment authority along with the application.

It shall be mandatory for the contractor to submit the performance report (PR) of each work executed by him in the approved format duly filled with all the required details to respective Executive Engineer within 3 months of completion of work under intimation to enlisting authority. In case he fails to do so, such work shall not be considered as eligible work for revalidation of enlistment. However, there shall be no bar for Executive Engineer/Superintending Engineer concerned to take cognizance of bad performance of the contractor where he deliberately avoid submission of Performance Report.

- 20.4 The reporting officer shall write the report and forward to the Enlisting Authority through his reviewing officer.
- a) It will be obligatory on part of concerned Executive Engineer and Superintending Engineer to sent PR to enlisting authority immediately but latest within one and two months respectively. In case the contractor has not applied for PR, the Executive Engineer shall initiate the PR at his own initiative.
 - b) Deleted
 - c) A copy of the graded performance report should also be given by the reviewing authority to the contractor so that the contractor is aware of gradation of performance report to the work.
 - d) The contractor may appeal for a review of graded performance report given by reviewing authority from the next higher authority. The Chief Engineer can review the graded PR of Superintending Engineer on the request of the contractor with recorded reasons.

21. Revalidation Procedure: The revalidation shall be done on the basis of Review of performance of the contractor during the period of enlistment/ revalidation. This shall be based on evaluation of performance reports as given in Annexure-X or as decided by the enlisting authority.

- (i) Extra marks for completing more works: Weightage of two marks for each additional work secured and completed will be given to the contractor who secure more works than minimum eligible criteria i.e., one completed work and other work of appropriate magnitude with progress more than 50 percent.
- (ii) Bonus mark for early completion of work: Two marks will be given as bonus for each completed work if contractor completes the work by 1/10th of completion period before the stipulated date of completion.

22.0 Contractor's obligations: The contractor should fulfil all his obligations under these rules in time and manner as specified, failing which he shall be liable for the action as mentioned therein. Some of the obligations are summarized below:-

- (a) Prior approval shall be obtained from the enlisting authority before changing the name or constitution of the firm/company.

- (b) Intimation of change of address should be given in advance or within one month along with acknowledgement from Banker, Income Tax and Sales Tax authorities.
 - (c) He shall continue to possess, throughout the period of enlistment/ revalidation, a valid electrical licence of appropriate voltage issued by appropriate authority.
 - (d) He should secure works of specified magnitude during the period of enlistment/ revalidation as provided in Para 19.0 above.
 - (e) He shall abide by these rules.
 - (f) He should not indulge in unethical practices and maintain good conduct.
 - (g) He shall execute the works awarded to him strictly as per the terms and conditions of the contract and specifications.
 - (h) Contractor shall submit the performance report of each work executed by him in the approved format duly filled with all the required details to respective Executive Engineer within 3 months of completion of work under intimation to enlisting authority.
- 23.0 Disciplinary Actions: The contractor shall have to abide by all the rules of enlistment and also by the terms and conditions of the contract and the Notice Inviting Tenders. He shall have to execute the works as per contract on time and with good quality. The enlisting authority shall have the right to demote a contractor to lower class, suspend business with him for any period, debar him or remove his name from the approved list of contractors indefinitely or for a period as decided by enlisting authority after issue of show cause notice. Decision of the enlisting authority shall be final and binding on the contractor. The following actions of the contractor shall, in general, make him liable to disciplinary actions:-
- 23.1 Demotion to a lower class: The contractor shall be liable to demotion to a lower class, by the enlisting authority, if he:
- (a) fails to execute a contract or executes it unsatisfactorily or is proved to be responsible for constructional defects; or
 - (b) no longer has adequate equipment, technical personnel or financial resources; or
 - (c) is litigious by nature: or
 - (d) violates any important condition of contract; or
 - (e) his staff misconducts or misbehaves with APWD officials; or
 - (f) is responsible for a conduct which may justify his demotion to a lower class; or
 - (g) any other reason which in view of enlisting authority is adequate for his demotion to a lower class.
- 23.2 Suspension of business: Whenever adverse reports related to adverse performance, Misbehaviour, direct or indirect involvement in threatening, making false complaints, filing legal suites for frivolous reasons, hampering tender process or execution of contractor any act, omission or commission etc., damaging the reputation of department/officer or any other type of complained considered fit by enlistment authority, are received from more than one officer or at more than one occasion from individual officer of APWD/CPWD/ALHW/MES/PBMC/Zilla Parishad etc., (Govt. of Andaman UT) works for the various class/categories of contractor, sale of tender to such APWD contractors shall be suspended immediately by the Enlisting Authority pending full enquiry into the allegations and decision by the empowered committee as indicated below. The committee will decided the case in time bound manner from the date of issuance of letter of suspension of sale of tender to the contractor.

If any of the charges are established then this would result in banning of business with the contractor for the period as decided by Empowered Committee. Business may also be suspended with a contractor up to a period of one year in case he fails to start the work after the award on two occasions.

- Empowered Committee for Civil, Civil Road, Electrical, Horticulture, Furniture & Nursery:

Enlistment Authority	Class	Categories	Complainant Officer	Empowered Committee
LG, A&N Island	I & II	Civil, Electrical, Horticulture, Furniture & Nursery.	SE and above	Chairman - Comm.-cum-secretary (PWD), Members- CE APWD, SE APWD.
LG A&N Island	III and Below	Civil, Electrical, Horticulture, Furniture & Nursery	EE and above	Chairman - CE APWD, Members- SE APWD, EE Plg. of the concerned Circle.
SE	V	Civil,	AE and above	Chairman – CE, APWD, Member – SE, APWD, EE Plg. of the concerned Circle.

Note: The Chief Engineer APWD shall appoint the member of the committee as per the table above and it is to be kept in view that complainant officer should not be part of committee.

It is also to be ensured that name of the contractor who has been suspended or banned is included immediately in the list of suspended/banned category of contractors on APWD website so that the field offices have an immediate access to the information across the A&N Islands and tenders are not sold to such contractors.

23.3 Removal from the approved list: The name of the contractor may be removed from the approved list of contractors, by the enlisting authority, if he:

- has, on more than one occasion, failed to execute a contract or has executed it unsatisfactorily; or
- is proved to be responsible for constructional defects in two or more works; or
- persistently violates any important conditions of the contract; or
- fails to abide by the conditions of enlistment; or
- is found to have given false particulars at the time of enlistment; or
- has indulged in any type of forgery or falsification of records; or
- changes constitution of the firm or Individual or changes the name of the firm without prior approval of the enlistment authority; or
- changes permanent address/ business address without intimation to the enlistment authority ; or
- is declared or is in the process of being declared bankrupt, insolvent, wound up, dissolved or partitioned; or
- persistently violates the labour regulations and rules; or
- is involved in complaints of serious nature received from other departments which prima facie appear to be true; or
- default in settlement of tax dues like income tax, Contract tax, Sales tax, octroi, duties etc; or
- has already been demoted for other reason(s); or
- ceases to fulfil eligibility criteria based on which enlistment / revalidation was done; or
- is considered not required to be in list of APWD for any other reason considered fit by enlistment authority; or
- Does not start the work after the same is awarded to him on three occasions.

24.0 Definition of Building, Civil work and Road Work :

Building Work: Building works means complete work including all civil items such as RCC work/brick or stone work/ wood work or PVC work for door frames & shutters/ steel or aluminum work/ plaster work/ flooring work/ water supply and sanitary installation/ drainage work/ water proofing work etc., and at least one of the items of –

- Water Supply and Sanitary installation
- Drainage work: and
- Water proofing work.

Exclusions: Items of pre fabricated huts, false ceiling, compound wall, storm water drain, sewer lines, water supply lines, road side gully chamber and supply & fixing of SFRC covers if executed exclusively under separate contract and not as part of main building contract and work of industrial sheds shall be excluded from definition of building work.

Civil Work: Any civil work which also include works of additions/ alterations/ renovations/ up-gradations/ maintenance.

Exclusions: Maintenance work does not include works of sweeping, care taking, watch & ward and the like.

- 24.1 Road Work: Road Work means -
- New road, Bridge or flyover construction;
 - Strengthening of existing roads;
 - C/o of bridges/ flyover approaches.

25.0 Work experience for Enlistment and Revalidation:

Category	Class	Work Experience for Enlistment	Work experience for Revalidation
Civil	I, II & III	Building Work and Civil Work excluding Maintenance work .	Building work or Civil Work excluding Maintenance work
	IV & V	Building Work or Civil Work.	Building Work or Civil Work.
Internal & External Electrical Installation	I, II & III	Internal or External Electrification work excluding Maintenance work (as the case may be).	Internal or External Electrification work excluding Maintenance work.
	IV	Internal or External Electrification work excluding Maintenance work (as the case may be).	Internal or External Electrification work including Maintenance work related with internal/ external Electrification.
Horticulture	I&II	Horticulture work excluding maintenance work.	Horticulture work excluding maintenance work.
	III	Horticulture work excluding maintenance work.	Any Horticulture work including maintenance work.

Application received before notification of said rule shall be decided on the basis of existing provisions of Enlistment Rules -2009.

- 26.0 Demotion to a lower class on request: In case, the contractor himself seeks demotion to a lower class on account of non fulfilment of revalidation criterion, the enlisting authority of class in which he is enlisted, on being satisfied prima-facie, of the contractor fulfilling the requirements of enlistment to a lower class, may revalidate the enlistment in the lower class for a period of one year to enable the contractor to obtain fresh enlistment in such lower class with concerned enlisting authority.

To avail this provision the contractor's application must reach the enlistment authority before three months period from date of expiry of enlistment. There can be two type of cases.

Category I - Contractor applies for revalidation for full term of 5 years but when not found fit for revalidation, he requests demotion to lower class.

Category II - At the time of submission of application for revalidation, he is aware that he is not eligible for revalidation of enlistment for 5 years and in place of 5 years he requests for enlistment in lower class for a period 1 year.

For such case falling under category-I, contractor has to pay no fees or late fee or double the late fee for revalidation as the case may be. The fee paid shall be

non refundable, in case either he is not found eligible for revalidation of enlistment for full term or even if he is enlisted in lower class for period of one year.

For case falling under category II, contractor has to pay proportionate fee @ 20% of enlistment fee as applicable to the class in which he desires enlistment for a period of one year. To continue his enlistment further, he has to submit fresh application before the competent authority to obtain fresh enlistment and he has to pay full enlistment fee as applicable.

27.0 All disputes arising out of this Enlistment Rule shall have the jurisdiction within the limits of Andaman and Nicobar Islands only.

28.0 Guidelines for Enlistment of Contractors:

28.1 General: The enlistment of contractors in various classes and categories and the further revalidation of enlistment shall be regulated as per APWD Enlistment Rules – 2017. This rules updated by incorporating all the amendments made so far by CPWD.

28.2 Concession to SC/ST contractors: The following concessions have been extended to contractors belonging to SC/ST communities. The concessions are by way of requirement of working capital/Banker Certificate for lesser amount for registration in Class V (Civil), Class-IV (Electrical and Class-IV (Furniture) category. However the tendering limit of such contractors is also restricted as indicated below –

Class/Category	Tendering Limit (Rs.)	Banker's Certificate (Rs.)	Working Capital for qualified engineer.
Civil Class V	5 lakh	4 lakh	60000/-
Electrical Class – IV	3 lakh	2.5 lakh	60000/-
Furniture Class - IV	3 lakh	2.5 lakh	-

28.3 Availability of Enlistment /Revalidation Forms: Forms downloaded from internet may be accepted. In event, the forms are issued to applicant by the department, charges as included by issuing office may be realised towards cost of forms.

28.4 Inspection of works: Ordinarily, work accepted by APWD need not be inspected.

28.5 Inspection Teams: The inspection teams for inspecting the non-APWD works for the contractor and furnishing there reports on quality of construction, workmanship etc., to the enlistment authorities shall be as follows –

- a. For Class –I:
 - i. Chief Engineer, APWD.
 - ii. One Superintending Engineer as nominated by CE, APWD.
- b. For Class – II:
 - i. Superintending Engineer of the circle.
 - ii. One Executive Engineer as nominated by SE.
- c. For Class –III, IV, V:
 - i. Executive Engineer of the division.
 - ii. One Asst. Engineer as nominated by EE.

The inspection team will give detailed inspection report of work inspected and make categorical comments and recommendation. A suggestive format for inspection and recommendation of building work is given at annexure - XA. Similar detailed format may be evolved depending on nature of work and class and category of enlistment. Inspecting officer will also ascertain from copy of agreement Architectural/ Structural drawings and other documents at the work being inspected has actually being done by the applicant contractor.

28.6 Enlistment Board: The enlistment board shall assist the Enlistment Authority in scrutinising the case, make recommendations regarding suitability of the contractor, evaluate annual confidential report/ performance report of contractors and advice the enlistment authority in enlistment process, revalidation process and weeding out the contractors. The constitution of the Boards is as under –

- A. Board of enlistment of contractors in APWD for Class –I category of contractors (Civil, Electrical & Furniture):
- | | | | |
|------|--|---|------------------|
| i. | The Chief Secretary | - | Chairman. |
| ii. | The Principal Secretary/Secretary(Finance) | - | Member. |
| iii. | The Comm. – cum- Secretary (PWD) | - | Member. |
| iv. | The Chief Engineer, APWD | - | Member. |
| v. | The Superintending Engineer, APWD
(to be nominated by CE, APWD) | - | Member. |
| vi. | FO to Chief Engineer, APWD | - | Member Secretary |
- B. Board of enlistment of contractors in APWD for Class –II, III & IV category of contractors (Civil, Electrical & Furniture):
- | | | | |
|------|--|---|------------------|
| i. | The Comm. – cum- Secretary (PWD) | - | Chairman. |
| ii. | The Chief Engineer, APWD | - | Member. |
| iii. | The Suptd. Engg. Electricity Dept. | - | Member. |
| iv. | The Superintending Engineer, APWD
(to be nominated by CE, APWD) | - | Member. |
| v. | FO to Chief Engineer, APWD | - | Member Secretary |

In respect of enlistment of class–V contractors of category civil, Superintending Engineer of the circle in APWD will enlist the contractor.

- 28.7 Scrutiny of cases: As and when an application is received from contractor at the Division Office the same should be scrutinised and if some documents/ information is missing, the application should be returned back to the contractor with reasons for returns. Applications received by post or through messengers should be scrutinised and deficiencies be intimated to the contractor and application returned in original, within one month. If all the documents are complete, and acknowledgement shall be issued to the contractor within one month of date of receipt of complete application.
- 28.8 Registers of Enlisted Contractors: Each office shall maintain registers showing the enlistment of various contractors in different classifications. Whenever contractors are blacklisted, removed or temporarily suspended from the list of approved contractors, a remark shall be made in the register against the contractors concerned.

Each Division and Circle Office should maintain a register for orders imposing penalty of one kind or the other as a result of review of the performance report in the following proforma –

1. SL.No.
2. Name of the contractor.
3. Registered/Un-registered.
4. Class of Registration.
5. Warnings issued.
6. Suspension of business for years.
7. Demoted from Class..... to Class.....
8. Debarred /Blacklisted.
9. No. and date of Office Order.
10. Remarks.

It would be the personal responsibility of the EE to see that he has received all the orders under the said series. At the time of handing over charge, the file should be handed over to his successors.

- 28.9 Instructions for operations of rules:
- 1.a The cases where enlistment/ revalidation granted earlier is for a period less than five years, such enlistment/revalidation shall be further extended suomoto by the enlisting authority so as to cover a total period of five years. This will include the cases where the validity of enlistment /revalidation has already expired but the contractors as on date of issue of Enlistment Rule 2017, still have the chance to apply i.e., within three months of expiry of enlistment/revalidation. The condition of satisfying requirements of APWD Enlistment Rules – 2017 in regard to Banker's Certificate, T&P etc. shall also stand shifted to the time of revalidation. Further revalidation of the enlistment shall be based on the performance of contractor during this period of five year plus the gap, if any, in the earlier revalidation as specified in para 19.1.5 of the Enlistment Rule - 2017.

- 1.b. The cases of above nature, where application for further revalidation has already been received, enlistment of such contractors may be revalidated for a further period of five years or two years as per category – A or category – B of para 19.0 of Enlistment Rule – 2017. The cases where contractor does not satisfy the requirements of para 19.0 of enlistment rules at all or on specific request of contractor, such cases shall be dealt as per 1.a above.
2. The enlistment of contractor in Furniture, Horticulture and Nursery is not yet started by the department. The same will be intimated as and when started.

