

# PUBLIC WORKS DEPARTMENT CODE

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# Part I

## THE ANDHRA PRADESH

### **PUBLIC WORKS DEPARTMENT CODE**

#### CHAPTER I

#### Establishment and Organisation of the Department

##### A – INTRODUCTORY

1. This Code is intended to define the scope of the administrative and executive functions of the officers of the Irrigation, Drainage, Roads and Buildings, Public Health & Panchayat Raj Engineering Departments. It does not deal with questions of pension or leave, nor with the detailed procedure to be followed in connection with the Public Works Department Accounts. The Rules contained in the Fundamental Rules and Subsidiary Rules thereto, and the Pension Rules (including Wound and Injury Pension Rules in the Civil Service Regulations) are applicable to the Public Works Department. Rules in the A.P. Financial and Accounts Code, relating to classes of transactions which occur in the Public Works Department as well as in Civil Departments are binding upon the Public Works Department except in so far as they may be overridden by express provisions in this Code or in the A.P. Public Works Accounts Code. The detailed procedure to be adopted in accounting of transactions authorised by this Code is laid down in the A.P. Public Works Accounts Code.

##### B — ORGANISATION AND FUNCTIONS OF THE PUBLIC WORKS DEPARTMENT

2. Since independence and with the launching of plans, public expenditure have been mounting on a scale which has few parallels in the whole world. Government is increasingly assuming new functions and undertaking a wide variety of activities designed to respond to emerging social and economic needs. The phenomenal increase in Government activities will be evident from the fact that the Central and State budgets which were a mere Rs. 900 crores in 1950—51 are now well over Rs. 11,000 crores. According to increased functions of Public Works are broadly divided into Irrigation and Power, Roads and Buildings, Public Health, Panchayat Raj Engineering and Electricity Department.

Each Department is headed by a Minister and the Executive Head of the Department is the Chief Engineer. The functions of the various departments mainly include construction of minor, medium and multipurpose river projects, construction and maintenance of non-residential and residential buildings and roads and bridges, public health, sanitation and water supply, rural development, construction of power projects and supply of power and execution of works on behalf of Central Government.

3. [Omitted]

4. Besides the functions described above, the Public Works Departments has as the agent of the Government of India, to execute public works on behalf of the Central Government debitable to Central Revenue, *See* Appendix I.

### **C - RECRUITMENT OF OFFICERS, SCALES OF PAY, ALLOWANCES, ADVANCES, LEAVE, ETC.**

5. The Rules relating to Recruitment of Officers and Scales of Pay and Allowances admissible to them are contained in Manual of Appointments and Allowances of the Gazetted Officers. The Rules governing the Grant of Advances of various kinds are contained in AP. Financial Code, Vol-I. The Leave Rules are contained in the Fundamental Rules and Subsidiary Rules thereunder.

The President of India has in exercise of powers conferred by clauses I and 11 of Article 371-D of the Constitution of India made the A.P. Public Employment (Organisation of Local Cadres and Regulation of Direct Recruitment) Order, 1975, providing among other things, for the organisation of Local Cadres in respect of posts under the Government of Andhra Pradesh for the allotment of persons holding such posts to the local cadre to be so organised.

The above order has come into force on 18-10-1975 and applies to the whole of the State of Andhra Pradesh.

The entire State is divided into seven zones. The cadre upto Assistant Engineer is a Zonal cadre and the cadres from Executive Engineer is a State cadre.

### **D — DUTIES OF OFFICERS OF THE PUBLIC WORKS DEPARTMENT**

#### **I. Chief Engineer**

6. There are several Chief Engineers in Irrigation Department; Chief Engineer, General and Major Irrigation ; Chief Engineer, Medium Irrigation ; Chief Engineer, Minor Irrigation ; Chief Engineer, Nagarjuna Sagar Right Canals ; Chief Engineer, Nagarjuna Sagar Left Canals ; Chief Engineer, Pochampad Project ; Chief Engineer, Srisailam Project, etc.

There are two Chief Engineers in Roads and Buildings Department. Chief Engineer, Roads and Buildings (Administration) and Chief Engineer, National Highways.

Chief Engineer, Roads and Buildings is responsible for execution of works on State Highways, residential and non-residential buildings, quality control and administration of the entire department. Chief Engineer, National Highways is responsible for execution of works on National Highways and all Central sponsored schemes.

Each Chief Engineer is a responsible professional adviser to Government on all matters relating to his branch.

7. It is the duty of the Chief Engineer (General) and Chief Engineer, Roads and Buildings (Administration) to recommend to the State Government removals, transfers and postings of Superintending and Executive Engineers. They are empowered to transfer Asst. Engineers from one circle of superintendence to another.

Superintending Engineer in Irrigation and Power Departments are empowered to transfer Asst. Engineers from one division to another within the circle.

The Dy. Chief Engineer, Roads and Buildings and Administration is empowered to appoint Junior Engineers and Supervisors, to promote to the category of Assistant Engineers and also promotion to the category of Supervisors from the Category of Draughtsmen.

The Chief Engineer, Incharge of Administration has powers to make temporary transfers of subordinates in special cases between the services of executive, lower

subordinates and draughtsmen and to grant them officiating pay in such cases. Permanent transfers from one service to other should not be made without obtaining the prior sanction of Government.

**8.** The Chief Engineer will exercise a concurrent control, with the Audit Officer, over the duties of the Officers of the department in connection with the maintenance of accounts, 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 in 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 to fulfill his functions.

**9.** The Chief Engineer will prepare, annually, the portion of the budget estimates relating to the works under his control, and as soon as possible after the close of each year, prepare a report of the progress made during that period on the public works under his charge, giving a brief but clear account of the operations of the department. The general supervision and the control of the assessment of such irrigation and navigation revenue as are collected in the Public Works Department will rest with the Chief Engineer, who should frame the necessary estimates and watch the progress of realizations during the year.

**10.** It will be the duty of the Chief Engineer to see that the budget allotments of the year are fully expended, in so far as is consistent with general economy. He will be responsible for ensuring that the money which 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. (See Chapter V of the A.P. Public Works Accounts Code)

**11.** When any military works are placed under the administration of the Public Works Department, questions relating to military details will be referred by the Chief Engineer to the General Officers, Commanding Divisions or Brigades. A Chief Engineer may correspond direct with the heads of departments on all matters relating to details of buildings or works appertaining to those departments.

**12.** Each Chief Engineer is responsible for all important structural designs and controls the Central Designing Offices managed by the Consulting Architects, the Sanitary Engineer and the Technical Section. Responsibility for the technical features of all designs rests with the Office of their origin.

## **II. Superintending Engineer**

**13.** 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 public works in charge of officers of the department within his circle.

**14.** 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 regulations, 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 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 service of one or two officers under him for such special work. They should freely resort to these methods in order to accelerate construction work.

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

**16.** 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 and report thereon to the Chief Engineer.

**17.** The Audit Officer and Superintending Engineer should assist each other in rendering the management of departmental accounts as perfect as possible. To this end, during his inspections of divisional offices, the Superintending Engineer will examine the divisional registers and other accounts and measurement books, the mode of preparation of estimates, contractors' accounts and agreements, the system of recording plans and papers and office work generally. He is expected to communicate freely and personally with Executive Engineers and to advise them in the performance of their duties.

**18.** Superintending Engineers are empowered to transfer and post Assistant Engineers and Subordinate Engineers within their circles. The Chief Engineer, Roads and Buildings (Administration) is empowered to transfer Asst. Engineers from one circle to another and within the circle, and the Superintending Engineer has no power to transfer an Asst. Engineer. In the case of office and petty establishments 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 Executive Engineers, Assistant Engineers and Subordinate Engineers from their own circles.

**19.** All reports on Engineers and Subordinate establishments 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.

He will also have power to appoint, dismiss and control the lower subordinates, the drawing and the ministerial staff of the circle, the inferior servants of his office, and the workcharged establishments on scales of pay where the maximum does not exceed Rs. 320, per mensem provided for in sanctioned estimates. Appeals will lie from any order of punishment passed by a Superintending Engineer to the Chief Engineer.

The Government ordered that the monetary limits in Paras 19, 41 and 59 of this Code refer to basic pay only. (G.O.Ms. No. 289, P.W.D., dated 14—3—1969)

**20.** The Superintending Engineer should generally prepare designs and save detailed plans and estimates prepared in his office for all original works improvements likely to cost more than Rs. 1,00,000. In the case of estimates for improvements to existing structures amounting to over Rs. 1,00,000 where the Superintending Engineer could not undertake the preparation of estimates without being supplied by the Executive Engineer with an amount of data which would make it more convenient if the latter himself prepared the plans and estimates in question, the Executive 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 he will invariably state his own opinion and recommendations.

**Note:** - Superintending Engineer should prepare project profile and basic project parameters with project cost under EPC Agency. The same shall be approved by –

- (i) Superintending Engineer - upto Rs.50 Lakhs
- (ii) Chief Engineer - more than Rs.50 Lakhs and equal to Rs.200 Lakhs.
- (iii) Committee constituted by Government for works costing more than Rs.200 Lakhs.  
(G.O.Ms.No.50, I&CAD (PW-Reforms), dated 02-03-2009)

**21.** The Superintending Engineer should generally supervise and control the correct assessment and realization of such revenue as is assessed or collected in the Public Works Department – vide Paragraph 254, A.P.Public Works Accounts Code.

**22.** A Superintending Engineer is authorised to correspond direct with any of the local authorities, civil or military, within his circle. He will address General Officers, Commanding Divisions or Brigadiers through their Staff Officers and all other officers direct.

**23.** Under the Rules framed under the District Municipalities Act the Superintending Engineers have statutory powers to inspect municipal works other than road works in their respective jurisdiction. No additional emoluments may be received for these duties.

### **III. Superintendent of Works**

**24.** For any particular work or series of works, too large to form a single executive charge, but requiring the entire energies of an Engineer for their efficient supervision, a Superintendent of Works (with Executive Engineers under him) may be appointed. A Superintendent of Works will exercise the powers laid down for Superintending Engineers.

### **IV. Executive Engineer**

**25.** The executive unit of the department is the division, in charge of an Executive Engineer, who is responsible to the Superintending Engineer for the execution and management of all works within his division.

**26.** An Executive Engineer can receive positive orders only from his own departmental superiors, the head of the administration, or other civil officers duly authorised, except in the case of works considered urgent by an Officer commanding a station, who can, in the circumstances explained in Army Regulations, India, issue an order to the Executive Engineer for the execution of the work.

**27.** The Executive Engineer is responsible that proper measures are taken to preserve all the buildings and works in his division, and to prevent encroachment on Government lands in his charge. He must keep accurate plans of all Cantonment or other Government lands borne on the Public Works Department registers and ensure that his subordinates are acquainted with the boundaries.

**28.** The Executive Engineer should insist on periodical inspections of all vacant lands in charge (i.e., lands which were acquired or set apart for particular objects and which are still unoccupied, the particular objects not having been fulfilled and lands appertaining to Government Buildings which are not enclosed by compound walls or fences) being made by his subordinates in proper time with a view to prevent encroachment thereon. So far as lands pertaining to Public Works Department, channels, canals, drains, tanks, tankbeds, road berms and to other P.W.D., irrigation and road works are concerned, encroachments thereon will be guarded against by the subordinates of 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 P.W.D. in consultation with the Officers of the Revenue Department.

**29.** Every Executive Engineer should immediately report to the Chief Engineer through the Superintending Engineer and the Collector of the district, any serious loss of immovable property, caused by any accident or unusual occurrence as required by Paragraph 72-A of the A.P. Financial Code, Vol. 1 — vide also Paragraphs 192—194.

**30.** Executive Engineers may transfer upper or lower subordinates (other than sub-divisional officer) from one station to another within their respective divisions without reference to superior authority. The transfers will be reported in the ordinary course to the Superintending Engineer.

**31.** An Executive Engineer is prohibited from commencing any work or expending any public funds, without the sanction of competent authority or from making any other than trifling deviations from sanctioned designs in the course of execution, except in case of emergency.

**32.** Immediately on a work being finished, it will be the duty of the Executive Engineer to close the accounts of it and to prepare the completion report if required by the Rules in Paragraph 216.

**33.** The Executive Engineer will submit his accounts punctually to the Audit Office under the rules in force and will exercise efficient control over his Divisional Accountant. The Executive Engineer is responsible for the correctness of the original record of cash and stores, receipts and expenditure and for the submission of complete vouchers. The Divisional Accountant is responsible for the compilation of the accounts from the data supplied to him.

**34.** The Executive Engineer is responsible that the accounts of his division are not allowed to fall into arrears; but if arrears or confusion arises which in his opinion cannot be cleared without the assistance of the Accountant-General, he should at once apply for such assistance.

**35.** The Executive Engineer has a right to seek the advice of the Accountant-General in all matters connected with the accounts of his division or the application of Financial Rules and Orders concerning which there may be any doubt. It will usually be desirable, however, that he should first obtain the advice of the Divisional Accountant who is specially trained for this duty, and this should be done in writing in all cases of importance.

**36.** The Executive Engineer is primarily responsible for reporting without delay, supported, if necessary, by a work slip, the probability of any excess over estimates, all important liabilities not brought to account being noted and for the prompt revision of estimates when necessary.

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

**Note 2** :—Work slips and agreements after completion are purposeless.

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

**37.** The Executive Engineer is responsible for the detailed assessment of such revenue as is collected through the P.W.D. within his division, and will maintain such records and accounts for the purpose as may be prescribed — vide Chapter IX, A.P.P.W. Accounts Code.

**38.** The Executive Engineer is responsible that the surveying and mathematical instruments in his division are properly cared, 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 subordinate responsible for the damage.

**39.** The Executive Engineer is responsible for the purchase (subject to the provisions of the Store Rules — Appendix 15 to the AP. Fin. Code, Vol. II) manufacture, care and disposal of all stores in, or required for, his division — A.P.P.W.A, Code, Paragraphs 177 and 178.

**40.** The Executive Engineer may dispose of temporary building or structures required for and charged to works — vide Paragraph 236.

**41.** The Executive Engineer will appoint or dismiss and generally control all the inferior and petty establishments authorised for his division, and the work-charged establishments on Rs. 160 and below per mensem provided for in sanctioned estimates.

(G.O.Ms. No, 88. P. & D, dated 1—2—1975)

He may fill up acting and temporary vacancies of clerks in the last grade and of tracers in his division and grant leave (other than special disability leave) to temporary, acting and permanent clerks, tracers and draughtsmen. 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 an Executive Engineer to the Superintending Engineer.

**42.** It will be the duty of the Executive Engineer to furnish Treasury and Sub-treasury Officers after due inspection with the certificate prescribed in Art. 2(b) of the Resource Manual, as to security of strong rooms used or proposed to be used for the storage of coin.

**43.** The Executive Engineer will be required to inspect report on and suggest measures for the protection of historical monuments or buildings of architectural interest, which appears likely to fall into decay.

In the case of monuments, which have been declared “Protected” under the Ancient Monuments Preservation Act of 1904 or buildings under the care of the Archaeological Department the Executive Engineer should arrange in consultation with the Superintendent, Archaeological Survey, for a joint inspection, when the former is specially called upon by the latter to decide upon any important repairs that may be required. The cost of such inspection will be borne by the Central Government.

**44.** The Executive Engineer is the 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 this duty.

**45.** The Executive Engineer is responsible for the engineering features of designs and the rate in estimates prepared or sanctioned by him.

**46.** Executive Engineer may, where the services of an Officer of the Military Works Services are not available, be called upon by General Officers, Commanding Division or Brigadiers to be members of Committees appointed to select sites and determine general boundaries of cantonments.

**47.** At stations where there are no Ordinance Workshops, repairs to ambulance wagons and tongas will be carried out either by the Military Works Services or by the Public Works Department.

**48.** Executive Engineers should address Officers, Commanding Divisions, Brigadiers or Stations through their Staff Officers.

#### **V. Sub-divisional Officer**

**49.** The division is divided into Sub-divisions Incharge of Sub-divisional Officers, who may be Executive Engineers, Asst. Engineers, or where no such officers are available, Subordinate Engineers, and who are responsible to the Executive Engineer in charge of the division for the management and execution of works within their Sub-divisions. No Subdivision can be constituted in the first instance without the sanction of the State Government.

**50.** Sub-divisional Officers may fill up acting and temporary vacancies in the inferior or petty establishments in their sub-divisions and grant leave (other than special disability leave) to peons, permanent, temporary and acting upto one month at a time and for not more than one month in a calendar year.

Sub-divisional Officers may also fill up vacancies in the work-charged establishments caused by the grant of leave other than casual leave to the members of such establishment in their sub-divisions, provided— (a) that the pay of the person appointed does not exceed Rs. 100 per mensem, and (b) that period of appointment does not exceed one month in each case. A copy of the appointment order should be communicated to the Executive Engineer of the division for confirmation.

Sub-divisional Officers may also impose fines on mazdoors and lock and wharf laskars borne on the work-charged establishment upto a maximum limit of 25 percent of their monthly wages. Sub-divisional Officers may also suspend them, submitting a copy of the order of suspension to the Executive Engineer for information. Appeals from orders of Sub-divisional Officers imposing these punishments will lie to the Executive Engineer.

#### **VI. Divisional Accountant**

The Divisional Accountant referred to in Paragraphs 33 and 35 is appointed by the Government of A.P. and his functions are described in the A.P. Public Works Accounts Code, Paragraphs 88—93 and 539—548.

#### **E — COMPENSATION FOR LOSS OF PROPERTY**

**51.** No Public Officer is entitled to compensation for loss of property caused by an accident of any kind, merely because such accident may have happened to him while he was employed in the service of the State, except to such extent that the State Government may relax the provisions of this Rule.

#### **F — SERVICE UNDER ZILLA PARISHADS, ETC.**

**52.** Members of the department may be transferred permanently or temporarily to work under the Zilla Parishads, Municipalities and be paid wholly from such funds under the Foreign Service Rules in Part VII of the Fundamental Rules.

**53.** Officers wholly employed on Local Fund Works which are carried out under the orders of the Chief Engineer, and those required to work, in connection with Local Fund Works in addition to their regular duties, when the latter is not detrimental to the public service, will be wholly subject to the Departmental Rules. No such officer may receive any additional emoluments in connection with Local Fund Works except as provided in Fundamental Rule 47.

## **G - EMPLOYMENT OF TEMPORARY AND WORK-CHARGED ESTABLISHMENT**

### **I. Temporary Establishment**

**54.** In order to meet the demand for extra supervision arising from time to time, as well as to provide for the contraction as well as the expansion of staff as the volume of work diminishes, or increases, the permanent establishment may be supplemented by temporary establishments to the necessary extent. Temporary establishment will include such non-permanent establishment, no matter under what titles employed, as entertained for the general purposes of a division or sub-division or for the purpose of the general supervision as distinct from the actual execution of a work or works. The specific sanction of Government is necessary for the creation of temporary appointments as distinct from work-charged establishment, except as provided in Paragraph 55.

**55. (a) *Temporary establishments engaged to provide for the normal work of the department, i.e., in temporary territorial divisions or sub-divisions* :—**These may be regarded as quasi-permanent and integral parts of the territorial organisations and will be sanctioned on that basis. Provision will be made for them in the budget and it will not then be necessary to obtain renewal of sanction every year.

**(b) *Temporary establishments employed on the investigation and execution of projects and works with, which the territorial organisations are unable to cope*** —Standing sanction should be obtained for these for the period required for their completion. Fresh sanction will not be required except for alterations in the sanctioned scale or for extensions of the sanctioned period.

**(c) *Establishment cut of a purely temporary nature required for short periods* :—** The prior sanction of Government should be obtained except where they are required to meet sudden emergencies such as floods, cyclone, etc. In such emergencies the Chief Engineers, Superintending Engineers or Executive Engineers are empowered to entertain in anticipation of sanction subordinate officers and petty establishments on the minimum rates of pay. The Executive Engineers or Superintending Engineers should report at once to their immediate superior authority what has been found necessary, and regular proposals for the establishments so employed should be submitted by the Chief Engineer to Government for sanction within a month.

**56.** Superintending and Executive Engineers may sanction within the budget provision out of contingent allotments the following temporary establishments for offices under their control :—

Watchmen, gardeners, lascars and conservancy staff on a pay as fixed by the Collector the actual pay being carefully determined by local circumstances.

**Note 1 :—** All persons engaged on temporary establishment must be required to sign the declaration indicated in Paragraph 57. Petty establishments and establishments whose

pay is charged to works under Paragraph 58 are exempted from submitting temporary service declarations.

**Note 2** :—The entertainment of gardeners at Government expense for public residences is forbidden except with the sanction of Government. Superintending Engineers may, however, sanction the entertainment of gardeners in the case of unoccupied residences to look after the buildings and the gardens. A certificate should be recorded by the officer drawing the gardener's pay on the connected bill, that the residence concerned was unoccupied during the period of employment. The pay of these gardeners is chargeable to repair estimates, see Paragraph 138. The limit of pay fixed in this Paragraph applies also to gardeners, watchmen and sweepers borne on the Work Establishment.

**57.** Temporary officers have no claim to pension, or to any absentee allowances beyond those conditionally given to temporary employees under Fundamental Rule 103. If they are engaged for a special work, their engagement lasts only for the period during which the work lasts. If dismissed, otherwise, than for the serious misconduct before the completion of the work they will be entitled to a month's notice, or a month's pay in lieu of notice; but otherwise, with or without notice, their engagement terminates when the work ends. If they desire to resign their appointments, they will be required to give a month's notice of their intention to do so or forfeit a month's pay in lieu of such notice. These conditions should be clearly explained to the men employed and a written declaration obtained from them that the terms have been clearly understood by them.

**Note** :— No agreements of temporary service under this Paragraph should be taken from men selected for Class I of A.P. Engineering Subordinate Service after 26th July, 1932.

## II. Work-Charged Establishment

**58.** Works establishment will include such establishment as is employed upon the actual execution, as distinct from the general supervision, of a specific work or of sub Works of a specific project or upon the subordinate supervision of departmental labour, stores and machinery in connection with such a work or sub-works; when employees borne on the temporary establishment are employed on work of this nature their pay should, for the time being, be charged direct to the work.

**Note 1** :— Provided the general principles of the Rules in Paragraphs 54 and 58 are not infringed, the Chief Engineer and Superintending Engineer are empowered, in consultation with the Audit Officer, to classify as "works" or "temporary" classes of establishment not covered by these definitions, to waive the Rule which prescribes that works establishment must be employed upon a specific work and to determine, in such cases, the proportion in which the cost of such establishments shall be allowed between the works concerned.

**Note 2** :— It is irregular to classify the following classes of establishment under the above rule as work-charged establishment :—

- |                                   |                                      |
|-----------------------------------|--------------------------------------|
| (i) River Conservance Inspectors, | When their pay is Rs. 20 and upwards |
| (ii) Channel Superintendents,     | -Do.-                                |
| (iii) Embankment Superintendents, | -Do.-                                |
| (iv) Conservancy Superintendents, | -Do.-                                |
| (v) Survey Lascars,               | -Do.-                                |

- (vi) Survey Maistry, -Do.-
- (vii) Wharf Superintendents, and
- (viii) Other staff intended for general purposes and not properly classifiable as work-charged establishment.

**Note 3** :— Survey mazdoors and lascars employed on the investigation of execution of irrigation works whether on a monthly pay or on daily wages will be deemed to be work- charged establishments for purposes of this Paragraph.

The above establishments should be dealt with under Paragraph 54 head of this Code.

**59.** The Superintending Engineers and Executive Engineers may sanction the entertainment of work-charged establishment on scales of pay where the maximum does not exceed Rs. 320 and Rs. 160 per month respectively, for each person, so employed on receiving necessary orders for starting any cost work the sanctioned estimate of which provides for the cost of such establishment. The Chief Engineer shall be the authority for appointment to the supervisory categories. The cost of works establishment must be shown as a separate sub-head of the estimate.

(G.O.Ms. No. 88, PWD., dated 1—2—75)

### III. Miscellaneous Rules relating to Work-charged Establishment

**60.** When labourers and artificers are unavoidably brought from a distance, they may be paid wages for the days of journey to and from the site of work, provided they join the work with quick despatch. At the discretion of the Executive Engineer *bonafide* travelling expenses may be paid. These charges must be debited to the estimate of the work.

**Note** :— Lascars borne on “works” establishment may be paid, for journeys beyond five miles from headquarters, actual expenses, subject to the limit of daily allowance for similar officers of the provincial establishment, in addition to travelling expenses.

**61.** Advances of pay and travelling allowance may be granted to the following establishments by the officers noted against them :—

- |     |  |  |
|-----|--|--|
| (1) | (a) Labourers and artificers of Public Works Works-shops proceeding to stations outside their jurisdiction on business connected with the shops.<br>(b) Steamer drivers, steamer crew and syrans of staff boats. | General Superintendent, Public Works Works-shops, Hyderabad & Executive Engineer incharge of Dowlaishwaram and Seethanagaram Workshops.<br>(GO.Ms.No.1566, P.W.(Y) Dept, dt 17-9-1970) |
| (2) | In special cases, the drivers of road-rollers and motor drivers when they have to travel beyond their ordinary jurisdiction.   | Executive Engineers.   |

All such advances must be recovered before the men are allowed to return to their work in the shops or from the pay of the men for the month concerned.

**62.** Member of the work-charged establishments are not entitled to any pension or to leave salary or travelling or other allowances except in the following cases :—

(a) Wound and other extraordinary pension gratuities are in certain cases admissible in accordance with the rules in Part VI of the Civil Service Regulations.

(b) For journey performed—

(1) within the jurisdiction of local Government or to and from a district or Foreign State or settlement adjoining the Division in which the establishment working, and

(2) in the interest of the work on which the men are employed, the Divisional Officer may allow the T.A. and D.A. of their grade in accordance with the Andhra Pradesh Travelling Allowance Rules.  
(G.O.Ms.No. 1305, P.W.D., Dt. 18—6—66)

**Note** :—The grant of daily allowance to the monthly paid work-charged establishments of the Public Works Workshops will be regulated with reference to rates of daily allowance under the A.P. Travelling Allowance Rules, subject to a minimum rate of daily allowance of 0.36 P.

(c) Grain Compensation Allowance is admissible under the Subsidiary Rules under Fundamental Rule 44 to men who are drawings rates of pay which have been fixed with reference to normal circumstances.

(1) This Rule is not intended to interfere with the discretion of the Sub-divisional Officer to grant short casual leave on full or on reduced wages subject to such general rules regarding the grant of casual leave to ordinary establishments.

(2) This Rule does not apply to members of temporary establishment whose pay is charged to works under Paragraph 58 of this Code. The leave salaries, travelling and other allowances of such establishment are regulated by the Rules applicable to temporary establishments.

**Note 1** :— The Executive Engineer, Krishna Central Division, is permitted to pay the work charged establishment at Divi and in the Vijayawada Work-shops overtime allowance whenever it is necessary to demand overtime work of them.

**Note 2** :— The General Superintendent, Public Works Workshops, is authorised to grant to the monthly paid-checkers and the mechanical staff of the works establishment an allowance of one-eighth of a day's pay for every hour of overtime worked by them.

**Note 3** :— The Electrical Engineer, P.W.D., is authorised to pay the work-charged establishment of the electrical division overtime allowance whenever it is necessary to demand overtime work of them.

**Note 4** :— The Executive Engineer, Godavari Head Works Division is permitted to pay the work-charged establishment in Dowlaiswaram Workshops overtime allowances whenever they are required to work overtime.

**Note 5**:— The Executive Engineer is authorised to pay members of the work-charged establishment of Government Houses, Andhra Pradesh overtime allowance whenever they are required to work overtime.

(3) (i) The Rules for the Grant of Concession to Government servants who have been bitten by rabid animals and who have to proceed to the District Headquarters Hospitals, or the General Hospitals, A.P., for treatment shall be applicable to work-charged establishment of the Public Works Department.

(ii) The maximum leave admissible to a member of the work-charged establishment to whom the concession is extended will be casual leave up to one month, if no substitute is appointed and leave without allowance if a substitute is appointed. Any leave in excess of one month should be treated as leave without allowance.

## **H - POLICE AND OTHER GUARDS**

**63.** When marching or in camp on public duty, officers are allowed a guard for the protection of public property. Such guards are supplied without charge by the Police Department, and application for them should be made to the Superintendent of Police by the officer requiring them, unless he be an Assistant Engineer or Subordinate Engineer, when the application should be made by the Executive Engineer. Such guards will not, however, be supplied unless the officer travelling is in charge of Government money or valuable Government property, or unless the country is disturbed.

**64.** In all cases, where, through the inability of the Police Department to supply a guard from the regular Police Force, special guards have to be entertained, the sanction of the State Government will be necessary. Officers may, however, in urgent cases, entertain the guard in anticipation of sanction, reporting their action at once to higher authority. The services of such extra guards should be dispensed with directly when they are no longer required.

## **I - MEDICAL ESTABLISHMENT**

### **I. General**

**65.** The requirements of the department will, as a Rule, be met from the Civil Assistant Surgeon of the Medical Department of the State.

**66.** Civil Assistant Surgeons will be allowed as part of the Public Works Establishment, and furnished with medicines at the public expenses wherever any large body of workmen is collected together. Sanction to their appointment must be obtained under the usual Rules regarding increases of establishment and applications for the services of individuals to fill sanctioned appointments will be made through Superintending Engineers to the Director of Medical Services.

### **II. Pay and Allowances of Medical Establishment**

**67.** A Civil Assistant Surgeon employed in the department is entitled to the pay he was drawing in the time-scale of pay of his class at the time of his transfer and to the usual annual increments which will be sanctioned by the Administrative Medical Officer. He will also be entitled to draw the special pay or compensatory allowance, if any, that may be attached to his new appointment.

### **III. Transfer of Civil Assistant Surgeons**

**68.** On the transfer of a Civil Assistant Surgeon from civil employment for duty in the Public Works Department, the following documents should be forwarded for custody to the officer under whom he is to be employed until he is transferred elsewhere :—

- (1) Service Register with the leave account and the leave sheet.
- (2) Extract from the Orders of Transfer.
- (3) Last Pay Certificate.
- (4) Transfer Confidential Report.

### **IV. Leave, Retirement and Resignations of Civil Assistant Surgeons**

**69.** Application for leave, retirement or resignation, as well as casualty reports and invaliding papers, should be forwarded to the Administrative Medical Officer.

### V. Removal of Civil Assistant Surgeons

**70.** Whenever it is thought desirable to remove a Civil Assistant Surgeon from the P.W.D., the reason for so doing should be reported confidentially to the Director of Medical Services who will take such further action as may be considered necessary in accordance with the Rules regulating the procedure to be observed in such cases.

## J — MISCELLANEOUS RULES

### I. Personal

**71.** Officers of the Andhra Pradesh Engineering Service are liable to serve in any part of the State of Andhra Pradesh.

**72.** Persons employed in the department shall have no personal pecuniary interest, directly or indirectly, in the construction of any public work, or in the manufacture, supply or sale of building materials. They are further subject to the Rules laid down in "The Government Servants' Conduct Rules".

**73.** Every member of the department, whether civil or military, must consider that his pay, for time being, or as defined in any agreement, is his sole legal remuneration; and that the receipt of commission, or any consideration, directly or indirectly on account of any business or transaction in which he may be concerned on behalf of Government, is prohibited. Every officer of Government is bound to report to his departmental superior any infringement of this Rule which may come to his knowledge — See also Paragraph 53.

**Note 1** :—An exception is, however, allowed in cases of arbitration as follows :—

- (1) An officer shall not act as arbitrator in any case without the sanction of his immediate superior or unless he be directed so to act by a Court having authority to appoint an arbitrator.
- (2) No public officer shall act as an arbitrator in any case which is likely to come before him in any shape in virtue of any judicial or executive officer which he may be holding.
- (3) If an officer acts as arbitrator at the private request of disputants, he shall accept no fees except as provided in Fundamental Rules 46 and 47.
- (4) If he acts by appointment of a Court of Law, he may accept such fees as the Court may fix.

**Note 2** :—There is also no objection to an officer of the department competing for any prize offered by a Municipality for preparing for it any designs or estimates, and to his receiving the award if he competes successfully.

**Note 3** :—An officer of the department, called upon by a Court to act as a commission to give reliable information on certain technical points of engineering, may comply with the request unless debarred by the operation of clause (2) of Note I above. If he accepts the commission, he may retain such fees as are fixed by the Court.

**Note 4** :—Fees to be levied from Co-operative Buildings Societies for the grant of certificates under Rule 7 of the Rules Annexed to GO. Ms. No. 512, Development, dated 11th April, 1923, that the installments of State loans made to the societies have been properly utilized :—When the certificate is obtained from an officer of the P.W.D., the fee payable by the society should be calculated at 1 ¼ per cent of the estimated cost of the work done up to the date of inspection. If and when subsequent inspections

take place, the further fee to be paid should be 1¼ per cent of the estimated value of the work done since the date of the last inspection. Two-fifths of the fee thus recovered from a society will be paid to the inspecting officer as fees, the rest being credited to Government.

**Note 5** — In the case of inspection and valuation by the P.W.D., of buildings constructed by the Co-operative Societies, contemplated in Rule 12 of the Rules for the grant of loans to Co-operative Building Societies issued with G.O.Ms. No. 512, Development, dated 11th April, 1923, as modified in G.O. No. 2019, Development, dated 28th November, 1927, no fee is recoverable.

**Note 6** :— Fee to be levied from Grant-in-aid educational institutions for issue of a certificate of reasonableness of rent :—In the case of private buildings occupied by educational institutions which are aided from State funds, certificates of reasonableness of rent will be issued by the P.W.D. Officers and the fees payable therefor will be calculated at the following rates :—

- (a) Ten per cent of the monthly rental recommended by the P.W.D. as reasonable, subject to a minimum of Rs. 60/— (Rupees sixty only) in each case.
- (b) For renewal of the above certificates, a fee of Rs. 30/— (Rupees thirty only) shall be collected in each case.

**Note 7** :—In the case of private buildings occupied by the Central Government Departments for locating their Officers, no fee need be levied for the issue of certificates of reasonableness of rent by the P.W.D. Officers of the State Government.  
(G.O.Ms.No. 450, P.W.D., Dt. 25-3-1968)

**Note 8** :— For issue of valuation certificate by the PWD (Roads and Buildings) Officers to a local body or Public Institution in respect of private buildings, a fee at 1¼% of the value of the building should be collected.  
(Memo. No. 83—Y/68/9, PWD, dated 25—1—1969)

**Note 9** :— Valuation of private property for Government purposes for the issue of valuation certificate:-

The first valuation of any private property for Government purposes will be done by the Assistant Engineer (Roads and Buildings) and the same will be checked by the Executive Engineer (Roads & Buildings) who will thereupon issue the valuation certificate. The Officers who make the assessment will be held responsible for its accuracy.

(Memo. No. 2428—Y/68—4, PWD, dated 24—2—1969)

**Note 10** :—When the Government Employees are required by the Government to produce the valuation certificates, no centage charges shall be collected by Roads & Buildings Department.

(G.O. Ms. No. 367, T.R. & B., dated 27—4—1976)

## II. Publication of Rules and Notice

74. Drafts of Rules, Regulations and Notifications having the force of law and affecting the outside public should, before issue under any Act, or in cases, where the previous approval or sanction of the President is necessary, before submission to the Government of India, be published with a view to ascertaining whether any valid objections can be taken thereto. A similar course should be adopted in the case of Rules or Notifications affecting the outside public intended to be issued not under any Act or Regulation but as Executive Orders.

When drafts of any Rules, Regulations or Notifications of the foregoing classes are submitted for the sanction of the President it should invariably be stated whether they have been published and the result of publication described. If they have not been published, the reasons for non-publication should be fully explained.

### **III. Anonymous Communications**

**75.** No anonymous communication regarding the conduct of any Government officer shall be acted upon without the permission of the State Government, except in so far as to endeavour to remove any apparently well-founded causes of complaint which do not affect the character of individuals. With the above exception, every complaint by or against any person in the department must be received and enquired into by his superior officer.

### **IV. Procedure in regard to Law Suits**

**76.** When any officer or subordinate in the department is personally sued in only Civil Court, by parties claiming from him wages or money arising out of transactions in which he is concerned only in his official capacity and bonafide on behalf of Government, it will be necessary that he defends the suit by pleading that Government should be made the defendant as the party really interested. But when the suit is for damages in respect of an alleged wrongful act of a Government officer, the party aggrieved may, as a general rule, bring the suit against such officer, and it would be no defence for the officer sued to contend that Government ought to be the defendant. The plaintiff may legally contend that he has a right to look to the party by whose act he has been aggrieved, whether he could or could not have sued that party's principal. The distinction is between suits on contracts and suits for wrongs. In cases of the latter kind, it will remain with Government to determine whether it would be just and proper that the defence should be carried on at the expense of Government. This course should ordinarily be adopted only in cases where there is no reasonable doubt of the innocence of the defendant. When, on the other hand, there is prima facie evidence that he has acted improperly, he should be left to conduct his own defence, the question of Government contributing towards the cost of the defence being subsequently considered. Whatever be the nature of the case, failure to defend the suit, or to reply to the plaint in person or by the counsel as the case may require, will render the officer or subordinate personally responsible.

For Rules regarding the head of debits of law charges incurred on the execution of works — *vide* Paragraph 486 of the A.P.P.W. Accounts Code.

**77.** An officer, receiving a summons to produce official documents in a Court of law, should, provided the documents be specified, produce them to the Court unless they are unpublished official records relating to any affairs of State, when he must refer to the officer at the head of his department.

\*In Circular Memorandum GAD (Service—C) No. 3230/65—2, dated 8—1—66, quoting the observation of Hon'ble Justice Jaganmohan Reddy in Contempt Case No. 11/65 of the High Court of Andhra Pradesh it was stated

“It is not necessary for a Government employee, who is required to do or omit to do something by an order of a Court, to consult or obtain instructions from his official superiors before complying with the Court's order in accordance with its tenor and purport and no disciplinary action shall be taken by a Government employee against subordinate for his failure to seek or obtain instructions from official superiors

before employing with any such order of a court. Any instructions by any Government complying requiring the subordinates to seek instructions from or obtain the approval of a superior officer before complying with an order of Court shall be revoked immediately. Any Government employee who refuses to comply with an order of a Court without a valid excuse is liable to be punished for Contempt of Court”.

### V. Stationery and Forms

**78.** Stationery is supplied by the Director of Stationery, Andhra Pradesh. Officers other than those to whom power has been delegated, are prohibited from obtaining elsewhere articles which can be procured from the Stationery Officer except under orders of Government in each case.

**79.** All the Executive Public Works Department Forms are kept in stock by the Director of Stationery, A.P. The Chief Engineer may make changes in them except in the following cases which require the approval of the Government of India :— Public Works Department, Form 155 (old number) — Forecast of financial prospects of Irrigation Works.

New completion Report Forms — Irrigation Works (Schedules A to E).

**80.** All the Public Works Accounts Forms are standardized and sent for printing to the Director, Government Press, A.P. by the Accountant General. The forms will be despatched by Director of Stationery to the officers concerned.

**81.** Indents for forms and returns will be submitted annually by Chief and Superintending Engineers direct to the Director of Stationery for compliance. The Forms will be despatched to intending officers direct.

**Note** :—The Rules in the Printing Manual and Chapter XII of the Andhra Pradesh Stationery Manual are to be observed in intending for Forms.

**82.** All officers entrusted with a supply of Stationery and Forms for their official use will take proper precautions to keep them in the custody of responsible and trustworthy person and to maintain a record of the receipts, issues and balances. Stock should be verified annually and the certificate of verification recorded in the register of stationery over the signature of a gazetted or other responsible officer.

**83.** Forms of deeds and other documents ordinarily required by the department will be settled by the Law Officers of the Government, and furnished through the Chief Engineer to whom all applications on such matters should be addressed.

### VI. Destruction of Official Records

**84.** The various records of the circle and divisional officers included in Appendix XV may be destroyed after the periods specified therein unless, in any case, as records has been specially ordered to be kept for a longer period. As regards records not included in the appendix, the sanction of the Superintending Engineer or of the Accountant-General in the case of accounts records should be applied for annually in the month of January. In ordering the destruction of such records, great care should be exercised that it is confined to such as are valueless (*vide* also Paragraph 590 of the A.P. Public Works Accounts Code), but the following should, on no account, be destroyed :—

- (1) Records in connection with expenditure which is within the statute of limitation.
- (2) Records in connection with expenditure on works not completed, although beyond the period of limitation.
- (3) Records of experiments and observations.
- (4) Records in connection with claims to service and personal matters connected with persons in the service.

### **VII. Recording of Plans and Drawings**

**85.** An Executive Engineer must keep on record in his office the following plans, or such of them as are required in his division :---

Copies of all standard plans of buildings.

Complete plans, sections and elevations of every building under his charge, whether military or civil, as actually constructed, any departures from sanctioned design being carefully noted. The boundaries of the ground attached to any buildings should be distinctly shown.

Plans of roads under his charge showing the quarries whence metal is obtained.

Detailed drawings including foundations, where practicable, of all bridges and other works in the division as actually constructed, any departures from sanctioned design being carefully noted. The boundaries of the ground attached to any buildings should be distinctly shown.

### **VIII. General Rules of Office Procedure**

**86.** No officer should correspond direct with an authority superior to the officer under whom he is immediately serving, or which the State Government or to the Government of India, out of the regular course, except in a case of extreme emergency, in which case he must send copies of his communications to his immediate superior together with a statement of his reasons for the direct correspondence.

**86—A.** No officer or subordinate of the department may except with the previous permission of the authority to which he is immediately subordinate, seek an interview with any officer in respect of any matter affecting him personally as a Government servant. The previous permission of the head of the department should be obtained through the proper channel in the case of an interview with a Member of Government or with a Secretary to Government.

Every application for appointment or for promotion shall be submitted through the proper channel.

### **IX. Periodical Returns**

**87.** With regard to periodical returns not prescribed by the Government of India, Government of A.P. or the Auditor-General, Officers to whom such returns are submitted should institute, at convenient intervals of time an examination into the necessity for each return, with a view to the discontinuance of any that may be found to be no longer necessary.

## CHAPTER II

### WORKS

#### A — CLASSIFICATION OF THE OPERATIONS OF THE PUBLIC WORKS DEPARTMENT

**88.** The operations of the department are divided primarily into two classes— ‘original works’ and ‘repairs’ or ‘maintenance’.

**89.** Original works include all new constructions, whether of entirely new works or of additions and alterations to existing works, except as hereinafter provided: also all repairs to newly purchased or previously abandoned buildings required to render them usable.

**90.** In the case of irrigation works the minor head “extensions and improvements” includes all works which either increase the efficiency of a system or work or its scope of action by an extension of or addition to it. The circumstances in which irrigation expenditure can be charged to revenue under “306”. Minor Irrigation—Extensions and Improvements” are explained in Paragraph 379.

**91.** The term ‘repairs’ or ‘maintenance’ includes all operations, except the foregoing required to maintain in proper condition, or to replace the wear and tear of buildings and works in ordinary use.

**92.** There are certain operations of the PWD which fall under both the categories of ‘original works’ and ‘repairs’, i.e., operations which are of the nature of both, e.g., substitution of a terraced for tiled roofing, substitution of steel beams for damaged teak ones, dismantling and extending a veranda, etc. The classifications and treatment of such mixed estimates for the purpose of this Code will be determined by the principles in Para 93. Vide in this connection Explanatory Note 26(3) and (4) in Appendix 4 to Andhra Pradesh Public Works Account Code also.

**93.** When a portion of an existing structure is to be dismantled for the reason that it is structurally unsound, and is to be replaced by a work which is not in material essential the same as the work dismantled e.g., thatched roof replaced by tiled roof, or by an addition, e.g., an extension of a building, the mixed work shall, for the purpose of determining the authority competent to sanction it, be treated as an original work. In the estimate and in the accounts, the following points should, however, be observed—

- (a) If the new work costs more than the original cost of the work which it replaces, the whole cost should be first taken to original work but eventually the difference should be charged under ‘original works’ and the costs of dismantled portion under ‘repairs’. The costs of the dismantled portion should be taken as its original cost of construction plus the cost of any additions subsequently made, or where this is not known, its estimated cost.
- (b) If the new work does not cost more than the original cost of the dismantled portion, the difference between the two will be written off the capital accounts where they are kept, and the entire cost of the new work charged under repairs.

**Note 1 :—** If an existing structure dismantled for the reason that it is structurally unsound is replaced by work which is in material essentials the same as the work dismantled, the work is strictly of the nature of repairs unless it falls under the last clause of Para 89. If a work is dismantled and replaced, not because it is structurally unsound but

purely because of administrative reasons, the entire operation will be treated as an original work, and the whole cost debited to original works, the cost of the dismantled work being written off the 'capital accounts'. The cost of dismantlement in either case should be charged to repairs.

**Note 2** :—The cost of restoration or special repairs shall not be added to capital cost or present value, unless such restoration or repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character.

**Illustration** :— The cost of replacement of palmyra rafters by Karimarudu or of bamboo hurdling by teakwood reapers or of lime plastering by cement plastering should not be added to the capital cost of a building. The cost of deepening a well in order to restore the normal water-supply should not be added to the capital cost of a building but the cost of replacement of country tiles by Mangalore tiles, and of replacing a mud compound wall by a wall of brick in mortar plastered with cement and replacement of a cement floor by tiles should be dealt with in accordance with clauses (a) and (b) of this Paragraph.

**94.** When an entire structure is reconstructed owing to the occurrence of fire, flood, earthquake, abnormal storm or other calamity or owing to wear and tear, the work should be treated as an original work and the cost of reconstruction as capital cost. On completion, the Government will decide what amount should be written off the original capital cost.

## **B — WORKS ENTRUSTED TO DEPARTMENTS OTHER THAN THE PUBLIC WORKS DEPARTMENT**

### **I. Forest Department**

**95.** The Forest Department is empowered to execute its own works whenever it is desirable to do so, instead of entrusting them to the agency of the P.W.D. owing to the special circumstances in which they are executed in out-of-the-way localities, or owing to certain peculiarities with which Forest officers are better acquainted than those of the P.W.D. The Forest Department has also got special engineering staff. Such works are provided for in the Forest Department budget and the detailed Rules regarding the preparation of plans and estimates and the maintenance of accounts are contained in the Forest Department Code. Works for which the agency of the Public Works Department is more suitable are executed by it in the usual manner in accordance with the Rules in this Code and the Andhra Pradesh Public Works Accounts Code out of funds provided in the P.W.D. estimates.

### **II. Excise Department**

**96.** A procedure similar to the one prevailing in the Forest Department is in force in the Excise Department also. The works are, however, generally of such a nature as do not require the employment of skilled labour or professional supervision. Such works are provided for in the Excise Department budget and the detailed Rules regarding their execution and accounts are contained in the departmental manuals concerned. Works which the P.W.D. are called upon to execute are charged to the P.W.D. and are dealt with in accordance with the Rules-in-Code and the Andhra Pradesh Public Works Accounts Code.

**96.—A.** (a) The acceptance of agreements by Civil Departments for original works requiring technical skill and which do not relate to petty construction and repair works shall be governed by the following limits

(1) Where the Civil Departments (i.e., departments other than the P.W.D.) employ technically qualified Engineer of the rank of the Executive Engineers of the P.W.D. upto a maximum limit of Rs. 25,000 in the case of works for which estimates are sanctioned by higher authorities and upto Rs. 10,000 in other cases;

(2) Where the Civil Departments employ technically qualified Engineers of the rank of Assistant Engineer of the P.W.D. upto Rs. 2,500.

(b) The arbitrators in the case of disputes arising out of such agreements shall be the Superintending Engineers of the P.W.D. in the respective areas in cases falling under (1) above and the Executive Engineers of the P.W.D. in whose area of jurisdiction the work lies in respect of cases coming under (2) above.

(c) The instructions in this Paragraph will not apply to the Forest Department Works and the Works relating to Irrigation and Navigation under the Revenue Department.

### III. Petty Construction and Repairs

**97.** The following works in connection with State Buildings are assigned to the departments using or requiring such buildings :-

Works of petty construction and repairs of all Government Buildings borne in the registers of P.W.D. (R&D) except the following :

[1. Annual white and colour washing and work of unskilled nature in respect of nonresidential buildings of Prisons Department.

2. Conservation works of Archaeology and Museum Department.

3. Maintenance works of Buildings belonging to Forest Department.

4. Repairs and Maintenance Works of Residential Buildings of Port Department.

[Subs. by Memo.No. 1388/BI—2/84—3, TR&B Dept., Dt. 1—4—1985]

The following are the Rules and Conditions governing the execution of such works by the departments concerned :—

(1) The construction of petty buildings and the execution of ordinary repairs to all civil buildings upto a limit of Rs. 5,000 shall ordinarily be undertaken by the departments using or requiring them, out of the funds placed at their disposal in the Civil budget.

**Note 1** :—The construction of new rain gauge pillars and the maintenance of rain gauges shall be undertaken by the departments for which they are intended, from funds allotted in the budgets of the respective departments. The officers of those departments may however at their discretion seek the advice of the P.W.D. officers.

**Note 2** :— When a building is occupied by more than one department, the 'department' for the purpose of the above Rule will be Revenue Department if it be one of the occupants, and if not, the Government department occupying the major portion of the building, to be decided in each case by the Superintending Engineer concerned. Petty internal repairs may, however, be carried out by, and at the cost of, the occupying department.

**Note 3** :— (i) In the case of works relating to Magistrate offices which are located in the same building as the Taluka office, the Revenue Department shall be deemed to be incharge of the whole building; administrative approval to such works shall be accorded by the officers of that department upto the limit of their powers, the expenditure being met from funds provided under "District Administration".

(ii) Works relating to Sub-Magistrates' offices which are located separate or detached buildings, even though situated in the same compound with other buildings shall be deemed to be incharge of the Judicial Department; administrative approval to the proposal shall be accorded by that department upto the limit of their powers, the expenditure being met from funds provided under the head "Administration of Justice".

(2) When the works described in Rule (1) above involves structural alterations and additions to buildings in charge of the P.W.D., Civil officers should obtain the concurrence of the Executive Engineer to such alterations and additions and should also communicate to the Executive Engineer the actual cost incurred so that capital accounts of the buildings may be correctly maintained. While giving his concurrence to the proposals of Civil officers, the Executive Engineer should consider whether the work will require technical advice of a skilled nature or professional supervision and if so inform such officers that the necessary technical advice or assistance will be given by the P.W.D. officers during the course of construction and that for this purpose, timely intimation should be given of the date of commencement of the work.

(3) When the works undertaken by Civil Officers do not involve structural alterations or additions to buildings incharge of the P.W.D., such officers should not requisition the services of officers of the P.W.D. unless in their opinion the works require technical advice of a skilled nature or professional supervision. The reasons for their reaching this opinion should in every case be communicated to the P.W.D. officer whose assistance is requisitioned. If, however, the P.W.D. officer is of opinion that the work does not require such skilled advice or professional supervision, he may return the requisition with full reasons for his opinion.

**Note** :— All petty works of the Fisheries Department which require technical advice of a skilled nature and professional supervision should be executed by the P.W.D. irrespective of the cost of such works.

(4) In the case of a building occupied partly by a district or taluk office along with one or more Government offices, the cost of the annual repairs should not exceed 11/2 per cent or any other rate that may have been sanctioned on the capital cost of the building.

(5) Rules (I) to (4) above do not apply to the following buildings the maintenance and repairs of which, irrespective of the cost, devolve on the P.W.D.

(i) All buildings in the Capital town [excluding certain City State Hospital — vide Note (1) under clause (ii) below — the Penitentiary and the Government Press, to which Rules (1) to (4) apply, subject in the case of the Government Press to a limit of Rs.100);

(ii) Medical Colleges and Government Hospitals in Andhra Pradesh.

**Note 1** :— The Superintendents of the Government Hospitals mentioned below and the Principal, School of Indian Medicine, A.P. may however carry out departmentally in each year up to the limit specified against each urgent petty works and repairs such as those noted below which require no technical skill or supervision by the officers of the P.W.D.

1. Renewing broken tiles and stopping leakages in the roof.
2. Renewing broken glass-panes of doors and windows.
3. Whitewashing in patches wherever dirty.

4. Repairing chimneys.
5. Renewing hooks, hasps and staples and hinges.
6. Painting portions of doors and windows wherever dirty.
7. Repairing floors.
8. Repairing fly-proof fittings.
9. Gravelling pathways here and there to prevent water stagnating.
10. Repairs and renewals of a minor nature to the water closet system.
11. Leakages in gas and water pipes.
12. Minor repairs to drains.

All petty construction and repairs not of an urgent nature will continue to be executed by P.W.D. as now.

13. Petty electrical works (the cost of petty electrical works executed at a time should not exceed Rs. 50 :

Provided however the Principals of Government Medical Colleges, the Superintendents of the Government Hospitals to which such colleges are attached may obtain estimates from the connected Section Officers of the P.W.D.

**[Note 2** —The Principals of the Government Medical Colleges and the Superintendents of (1) Osmania General Hospital, Hyderabad, (2) Gandhi Hospital, Secunderabad, (3) Government Maternity Hospital, Hyderabad, (4) Niloufer Hospital, Hyderabad, (5) Government Mental Hospital, Hyderabad, (6) Sarojini Devi Hospital, Hyderabad (7) Cancer Hospital, Hyderabad, (8) Hospital for Diseases of Chest and TB., Irrumnuma, Hyderabad, (9) Fever Hospital of Hyderabad, (10) Government General Hospital, Guntur, (II) Government General Hospital, Kurnool, (12) King George Hospital, Visakhapatnam, (13) Government Mental Hospital, Waltair, (14) Government Victoria Hospital, Visakhapatnam, (15) Government General Hospital, Kakinada may also obtain direct from the concerned P.W.D. Section Officer, estimates for petty construction work and petty repairs of an urgent and essential nature, such as those noted above for each group of buildings detailed below for amounts not exceeding those noted against them at a time.

Hospital Buildings	Rs. 1,000
College Buildings	Rs. 1,000
Hostel Buildings	Rs. 1,000

These works may be sanctioned by the competent officer of the Medical Department and executed without reference to the P.W.D. higher authorities. Copies of all such estimates should however, be sent to the concerned Executive Engineers.]

[G.O.Ms. No. 2264, PWD, Dt. 15-9-1959]

(iii) All official residences

**Note 1** ;— Quarters of Sub-Inspectors of Police, Sergeants and Head Constables not situated in the capital town, or following under exception (v) below, may, however be mentioned by the Police Department.

**Note 2** :— Quarters provided for employees in inferior service and for compounder in the Veterinary Department not situated in the capital town may be maintained by the

departments concerned of Government Engineering Colleges in the State are empowered to carry departmentally upto a limit of Rs. 5,000/— all general, petty construction and repairs works in respect of the buildings and fixtures of the colleges, including Hospitals but Engineering residences attached to the Colleges. The Executive Engineer should be consulted in case of doubt.

**Note 3** :—Gazetted Officers occupying Government residences are empowered to execute very urgent petty repairs such as the replacements of window-panes or stoppage of leaks subject to an upper limit of Rs. 20 annually (the actual amount being fixed by the heads of department concerned) when Roads & Buildings Departments Officers are not immediately available to arrange for such repairs being done. The expenditure should be reported to the Roads & Buildings Department Officer concerned as soon as it is incurred so that he may check measure the work done as soon as he returns to headquarters or visits the station as the case may be.

In such cases the money required for expenditure should be advanced by the Gazetted Officer from their permanent advances and recouped from the Roads & Buildings, Department, Section Officers concerned who will debit the expenditure to 283 Housing C. Government residential buildings — Maintenance and repairs.

(iv) Buildings in which offices of the departments of the Central Government or official residences are located along with one or more other Government offices;

(v) Buildings which have been specially placed in charge of the P.W.D. for maintenance and repairs, viz.,

All hostels attached to Government Educational Institutions borne on the P.W.D. register of buildings, except the hostels attached to the Agriculture College, Bapatla, (vide Note below).

**Note** :—The Principal of the Agricultural College at Bapatla, is empowered to carry out departmentally upto a limit of Rs. 1,000 per annum all general petty construction and repairs works in respect of the buildings and fixtures of the hostels attached to the college. The Executive Engineer should be consulted in cases of doubt.

(vi) Provincial buildings which are occupied wholly by the departments of the Central Government and for which rent is recoverable.

#### **IV. Public Works executed by Civil Officers acting as Public Works Disbursers**

**98.** The administration of all public works other than those assignees of the departments concerned under Paragraphs 95 to 97 above falls within the functions of the Public Works Department, but even such works may, by a mutual understanding between the P.W.D. and the department concerned, be executed by the latter on behalf of the former, the charges being debitable to the Public Works grants. In actual practice the system is confined mainly to— (1) Agency Tracts, (2) the Industries, and (3) the Agricultural Departments. In the case of (1) the arrangement is necessary on account of the inadequacy of the P.W.D. staff which is widely scattered and in the case of (2) and (3) the presence of departmental engineering staff renders the arrangements advantageous to both departments.

**Note 1** :—The heads of offices of the Agricultural Department are authorised to carry out, as Public Works Disbursers, ordinary and special repairs to residential buildings of the department borne on the registers of the Public Works Department subject to the conditions —

(i) that the services of the Engineering staff of the Agricultural Department are secured when necessary;

(ii) a statement is furnished to the Executive Engineers concerned from time to time showing the actual expenditure incurred on special repairs which would increase the capital value of the buildings so as to enable the Executive Engineers to regulate the rents of the buildings; and

(iii) the heads of offices of the Agricultural Department should also forward to the Executive Engineers concerned—

(a) a statement, after the close of the official year, of actual expenditure incurred on ordinary and special repairs to such buildings to enable the latter to prepare the capital and revenue accounts of residencets; and

(b) an annual statement of the amounts spent by them on each building whether on ordinary or special repairs to enable the Roads and Buildings Department to keep a check on the amount and also to see that the buildings are not neglected for years together.

**Note 2** :—The Rules relating to minor irrigation works in charge of civil officers will be found in Paragraph 284.

**Note 3** :— The system should not be adopted in the case of jail works costing over Rs. 5,000 which should be carried out by the Roads and Buildings Department. When, however, such works are executed by the contract system, jail labour should be employed by the contractors on all unskilled work connected with the contract as far as possible. Therefore when tenders are called for the work, it should be stipulated in the tender notice that the contractor should employ jail labour on all unskilled items of work connected with the contract, if such labour is available with the Jail Department and that jail labour if supplied, will be charged for at the rate of [x x x] per man per day. A similar procedure should be adopted in regard to jail works executed departmentally by the Roads and Buildings Departments. In cases in which jail labour is not employed on a work for the reasons that the Jail Department is not able to supply it, a written statement from the Jail Superintendent to that effect should be obtained and recorded by the Roads and Buildings Department Officers.

### C — ADMINISTRATIVE APPROVAL AND TECHNICAL SANCTION

**99.** For every work proposed to be carried out, except petty works and repairs the cost of which does not exceed Rs. 2,500/- a detailed estimate must be prepared by the P.W.D. for the sanction of competent authority; this sanction is known as the technical sanction to the estimate. Except where definite provision is made in this Code to the contrary, such sanction can only be accorded by Government or, where powers has been delegated to them, by officers of that department. Sanction accorded to the construction of work by any other department of Government is merely an administrative approval of the work, which is in effect an order to the P.W.D. to execute a certain specified work for the department as a stated cost.

(G.O.Ms. No. 50, P.W.D., Dt. 17—1—1966)

**100.** It is waste of public money to prepare detailed plans and estimates for schemes for which the provisions of funds is unlikely to be made, and for this reason, in complying with requests from other departments for approximate estimates and preliminary plans for the purpose of administrative approval, only sketch plans and statements of probable costs (based in the case of buildings on cubic foot or plinth area rates) should be furnished by

the P.W.D. On receipt of these, the requisitioning officer should take steps for obtaining the necessary administrative approval.

**Note 1** :— No approximate estimate is necessary when the total cost of a work is less than Rs. 5,000. In such cases a detailed estimate should be prepared in the first instance, provided the Executive Engineer is satisfied that the proposed work is necessary and is likely to be sanctioned.

**Note 2** :— Approximate estimates should be accompanied by a preliminary report, and such preliminary plans, information as to site, etc., as may be necessary to fully elucidate the proposals.

**Note 3** :— In the case of hospital schemes costing Rs. 50,000/- or more the following special procedure should be followed. Before approximate estimate and preliminary plans for such schemes are submitted to Government they will be scrutinized by a Committee consisting of the Superintendent, the Consulting Architect to Government, an officer of the Medical Department to be selected by the Superintendent and an Executive Engineer who has had considerable experience of the construction of buildings to be selected by the Chief Engineer. If the scheme relates to a mufassal hospital and personal inspection by a committee is considered necessary, the members of the committee visiting the site may draw travelling allowance. The plans should then be scrutinized by the Chief Engineer.

**101.** The estimates which are submitted to Government for administrative approval or to be sanctioned by the competent authorities should give the approximate financial break up of the component parts and administrative sanction shall mention the financial break up, in respect of all such component parts also, to ensure that the amounts are not spent in excess of the administrative sanction for the component parts beyond the permissible limits subject to the provisions of Para 417 (c) of A.P.P.W. 'D' Code.

(G.O.Ms. No. 1845, P.W.(Y) Dept., Dt. 14—12—1971)

**Note** :— A similar procedure will be applicable for works required for the Public Works Department except that both the administrative approval and technical sanction will be accorded in the same department.

**102.** On the receipt of administrative approval to works costing below Rs. 50,000, the P.W.D. should prepare detailed estimates and plans and after the professional authorities are satisfied that the proposals are structurally sound, the counter signature of the Head of the Department or of the local Head of the Department who applied for the execution of the work should be obtained to the plans and estimates in token of approval for Technical sanction should then be accorded.

In the case of works costing Rs. 50,000/- and above, the procedure indicated below should be observed. As soon as possible after administrative approval is obtained to any such building scheme, detailed plans and estimates should be prepared with lump-sum provision for electrical and sanitary fittings. When the detailed plans are ready in a rough shape the Consulting Architect to Government should consult the Head of the Department who should in his turn obtain the advice of and circulate the plans to, experienced officers of his department. The Head of the Department should also consider specifically such points as layout and orientation of the buildings on the site with an eye on sanitation, water and electric supplies and the suitability and economy of arrangement of the building. The Consulting Architect to Government should ascertain the exact requirements from the Head of Department and incorporate them in the building plans which are then to be countersigned. Such approved plans countersigned by the Head of the Department should not be altered

subsequently without the sanction of Government. As soon as the plans have been countersigned, the Executive Engineer should immediately proceed to obtain technical sanction communicating at the same time copies of the certified plans to the Electrical Engineer (General) and in cases in which the Sanitary Engineer has to be consulted, to the Sanitary Engineer also for further guidance in the preparation of detailed plans and estimates for electrical and sanitary installations—vide also Paragraph 255 of this Code.

(i) If in the preparation of detailed technical estimates, it is found that the cost will exceed the amount administratively approved by more than the limits prescribed by the Government, from time to time for this purpose, viz., for sanctioning technical estimates in excess of administrative approval, revised administrative approval must be obtained before the technical sanction can be accorded.

(G.O.Ms. No. 242, PWD., Dt. 11—2—1966)

[(ii) Revised administrative approval should also be obtained if the expenditure incurred has exceeded or is likely to exceed the amount of original administrative approval and the technical sanction by more than the limits prescribed by the Government from time to time or when material developments or deviations occur].

(Subs. G.O.Ms.No. 1582, PWD, (Y), Dt. 18—9—1970)

**Explanation to Para 102** :—According to the orders issued in G.O.Ms.No. 242, PWD., dated 11—2—1966 amending Para 102 of the A.P.P.W.D. Code, among other things, revised administrative approval should be obtained if the expenditure incurred exceeds the amount of technical sanction by more than the limits prescribed by the Government from time to time for passing such excesses by the appropriate authority. The Accountant General, Andhra Pradesh has sought clarification whether revised administrative approval is necessary even if the expenditure incurred is less than the original amount administratively approved, if it exceeds the amount of the technical sanction by more than the limits prescribed for passing such excesses by appropriate authority.

A question also has arisen whether the revised estimates should be compared with original administrative sanction or the original technical sanction.

The Government have carefully examined the above two issues. According to Para 102 of the A.P.P.W.D. Code as amended in the Government Order referred to above, revised administrative approval is necessary if the expenditure incurred exceeds the amount of technical sanctions i.e., original technical sanction. But the officers could revise the technical estimate, if the works are not completed for any amount within the amount of administrative sanction plus such excess upto which they are competent to accord technical sanction. Obtaining revised estimate in such a case becomes purposeless. Since the officers are empowered to pass excesses during execution over the technically sanctioned estimates, the Government consider that revised administrative approval should be obtained if the expenditure incurred has exceeded or is likely to exceed the amount of original administrative approval and the technical sanction by more than the limits prescribed by Government from time to time. Accordingly, the amendment to Para 102 of the A.P.P.W.D. Code is issued.

The Chief Engineers are informed that the revised estimate should be compared with both the original administrative approval and the original technical sanction for the purpose of determining the necessity to obtain revised administrative approval. For the purpose of determining the necessity to obtained revised technical estimate as indicated under Para 214 of the A.P.P.W.D. Code, the comparison should be with the original technical standing only.

**103.** In the case of Civil Works in charge of civil officers acting as Public Works Distributors under Paragraph 98, the estimate should be prepared by them in the forms adopted in the P.W.D., together within the plans, where necessary and the necessary technical sanction of competent authority in the P.W.D. should be obtained. Standard designs should be adopted, as far as possible, with such modifications as local or other circumstances may necessitate.

## **D — DEMANDS BY CIVIL OFFICERS**

### **I. General**

104. The procedure in this section is applicable only in the case of works carried out by the P.W.D. and does not hold good in the case of works carried out by the other departments—vide Paragraphs 95 to 98.

105. Applications for new buildings and for additions or alterations to existing buildings should be made by the officer of the department concerned, in communication with the Executive Engineer. It is the duty of the Executive Engineer, while giving due weight to the opinions of the department concerned, to oppose any application for works of the real necessity for which he is not satisfied, whenever he is unable to recommend the execution of a work, he should explain his objection to the officer concerned, and if he fails to convince him, he should refer the matter to the Superintending Engineer. The actual execution of works asked for by civil officers, must in every case, be dependent on funds being available.

106. The local head of a Civil Department may call upon the Executive Engineer to report on proposals for additions or alterations to the buildings in his use and to state the probable cost; but Executive Engineers cannot be required, except by their departmental superiors, to prepare the detailed designs and estimates necessary for technical sanction.

107. Proposals for frequent additions and alterations present a real obstacle to rapid progress and Executive Engineers must satisfy themselves that the alterations demanded by an administrative department are necessary and will not prove a source of serious delay. The Executive Engineer should refuse to consider proposals for alterations if he is not satisfied as to the necessity of the alterations but he should forward a brief but clear statement of his reasons for his refusal the Superintending Engineer as well as to the administrative authority concerned.

### **II. Petty Original Works costing Rs. 2,5001- or less**

**108.** In cases in which such works are not executed by Civil Departments under the provisions of Paragraphs 93 to 97, but are required to be carried out by the P.W.D., a requisition should be made in Public Works Account Code Form 32 (C.F. No. 145), by the officer requiring the work. The Executive Engineer will record on the requisition what work should be done (applying the principles of the two foregoing Paragraphs), an estimate of the probable cost, and his sanction to the estimate. After acceptance of the estimate by the requisitioning officer, the Public Works Department will take necessary action to provide funds and to sanction the execution of the work.

(Amended by GO. Ms. No. 50, PWD, dated 17—1—1966)

*Note* :— Lump-sum grants for minor works are allotted to circles for distribution by the Superintending Engineer; generally, these grants are redistributed to divisions at once, in such cases the Divisional Officer will sanction execution of the work.

### III. Procedure in regard to Original Works costing more than Rs. 2,500/-

**109.** If the work be likely to cost more than Rs. 2,500/- the procedure described in Paragraphs 99 to 102 regarding administrative approval and technical sanction should be followed.

(G.O.Ms. No. 50, PWD, dated 17—1--1966)

### IV. Procedure in regard to Repairs

**110.** The procedure to be followed in the case of repairs is as follows :—

(i) The requisition will be made by the civil officer concerned in Public Works Accounts Code, Form 32 (C.F. No 145).

(ii) On receiving the requisition, the Executive Engineer will first satisfy himself as to the propriety of the work, and that there is sufficient provision in the budget grant under the proper sub-head of 'Repairs'.

(iii) The Executive Engineer may then order the immediate execution of the work, without the preparation of a detailed estimate, provided that the cost is not likely to exceed Rs. 2,500/-.

(iv) Should the budget grant under the particular sub-head be insufficient to meet the outlay, reference must be made to the Superintending Engineer.

(v) When the approximate estimate exceeds Rs. 2,500/- a detailed estimate must be framed and sanctioned by the authority competent to accord technical sanction. Attention is invited to Paragraphs 144 and 147.

### V. Limitation of Sanction

**111.** Nothing in these Rules is to be construed into a permission to an officer, to carry out in portions any group of works or alterations or to make purchases of which the cost in the aggregate would exceed what they are empowered to sanction under the Rules.

## E - PREPARATION OF ESTIMATES

### I. General

**112.** The papers to be submitted with the project for a work will consist of a report, a specification and a detailed statement of measurements, quantities and rates, with an abstract showing the total estimated cost in rupees only of each item. These documents form what is called the estimate in the sense of this Code. The form of the abstract will depend on the method proposed for the execution of the work. If it is intended to purchase or supply materials and to employ labour for construction separately (whether by contract or departmental agency), the abstract of the estimate should be so framed as to show separately for each distinct item of artificer's work (1) the cost and quantity of "labour", and (2) the cost of materials. But if this is not the case, e.g., when any item of work is to be executed by contract and it is proposed to contract for the completed items of work, the abstract of the estimate may show merely the quantity and cost of each item of work. In the case of a project consisting of several works, the report may be a single document for all the work and likewise the specification, but details of measurements and abstracts may conveniently be prepared for each work, supplemented by a general abstract bringing the whole together. In the case of estimates for 'Repairs or 'Maintenance', only the specification and the detailed statement of measurements and quantities with the abstract will ordinarily be required. The report should state clearly the purpose of the work estimated for, and

explain any peculiarities which require elucidation including where necessary, the reasons for adoption of the estimated project or design preference to others.

**113.** To facilitate the preparation of estimates, a schedule of rates of each kind of work commonly executed should be prepared annually in each district, and the rates entered in an estimate should generally agree with the schedule rates, but where from any cause these are considered with the schedule rates, but where from any cause these are considered not sufficient, or in excess, a detailed statement must be given in the data sheet showing the manner in which the rate used in the estimate is arrived at.

[G.O.Ms. 606, P.W.D., Dt. 26—3—1966]

**114.** In the case of materials supplied departmentally, the rates allowed to the contractor should not allow any profit on the cost of materials.

**115.** When an extra percentage is allowed on account of special local conditions such as in the case of out-of-the-way tank restoration scheme works, it should be so stated in a note at the end of the data statements accompanying schedules of rates, and this extra percentage should not be described as contractor's profit.

**116.** The schedule of rates should be prepared on the basis of rates prevailing in the locality, and as it is used for the important purpose of preparing estimates and is also used as a guide in settling rates in contract agreements, necessary analysis of the rates for each description of work and the varying conditions thereof should be given as far as practicable.

In working out the rates for the tenders to be accepted for works in the division, during the twelve months preceding the date on which their preparation is due to begin, any tendency of the rates and prices to rise or fall should be taken into account. When rates and prices are changing rapidly the Superintending Engineer should issue orders at any time, that a certain percentage should be added to or deducted from all the rates or from certain specified rates or from rates for certain specified classes of items, e.g., for materials or for labour. In the data accompanying the schedule of rates for works, the contractor's profit should not be added as a separate item.

**117.** [In the estimates for works provision may be made at the following rates for petty supervision and contingencies :—

1.	Estimates upto Rs. 10,000/-	5%
2.	Estimates from Rs. 10,000/- to one lakh.	4% subject to a minimum of Rs. 500.
3.	Estimates from Rs. 1 lakh to Rs. 100 lakhs.	3% subject to a minimum of Rs. 4,000/-
4.	Estimates above Rs. 100 lakhs.	2 ½ % subject to a minimum of Rs. 3 lakhs.

All incidental expenditure which can be foreseen such as compensation for or cost of land, sheds for workmen and stores, should be separately provided for in the estimates. The provision for contingencies should not be diverted to any new work or repair which is not provided for in the estimate and of which the cost exceeds Rs. 2,500. without the sanction of the Superintending Engineer vide also Para 428 (c). The provision for petty supervision should in no case be diverted to meet expenditure on other items of work. A provision of 1 percent of the estimated cost may also be made towards handling charges in the estimates for purchase of machinery.

**Note** :—The percentage of the provision for petty supervision and contingencies to be provided for in the working estimates should be determined with reference to the cost of the big projects of which the working estimate forms a part. The same percentage of P.S. charges as provided in the original estimate may be adopted in the revised estimate also].

[Subs. by GO. Ms. No. 987, PWD, Dt. 18—7—1972]

The orders issued in the GO. Ms. No. 1329, P.W.D., dated 21—6—1963 are deemed to have been modified to the above extent.

**Explanation** —Orders were issued in the G.O.Ms. No. 1329, P.W.D., Dt. 21—6—1 963, prescribing a scale for petty supervision and contingencies in the estimates for works of the Public Works Department (Irrigation Branch and Roads and Buildings). These orders were extended to the Electricity Department also. The Accountant General, Andhra Pradesh suggested that if the orders are to be made permanent, the minima prescribed in respect of works of the Nagarjuna Sagar and Srisailam Projects may be kept in view while amending the A.P.P.W. ‘D’ Code. The Chief Engineer (Major Irrigation & General) has proposed, with reference to a decision of the Committee of Chief Engineers that in addition to the minima, provision of 5 percent in the estimates costing upto Rs. 10,000 prescribed in respect of works of the Nagarjuna Sagar and Srisailam Project may be adopted in the Public Works Department (Irrigation Branch) and (Roads and Buildings) as against 4 percent prescribed in the GO. first read above.

After careful consideration, the Government approved the proposal of the Chief Engineer (Major Irrigation & General). The consequential amendment to Para 117 of the A.P.P.W. ‘D’ Code is issued.

**117—A.** In the estimates for major works, provision upto 2 percent of the estimated cost of the works portion may ordinarily be made for “unforeseen works”. When found necessary, this provision may be utilized for new items of works which are required by the administrative authority and which are essential for the fulfillment of the precise object for which the estimate for the main work is intended. The working estimates for such works will be sanctioned by the Executive Engineer upto a limit of Rs. 2,500/- for each item by the Superintending Engineer beyond this limit — *vide* Paragraphs 417(g) and 428(f).

(G.O.Ms. No. 987, PWD (Y), Dt. 18—7—1972)

**117—B.** Provision of 1 percent should be made towards audit charges in the estimates for irrigation projects for which capital and revenue accounts are maintained.

(G.O.Ms. No. 726, PWD (Y), Dept., Dt. 27—3—1964)

**118.** The Rules regulating the inclusion in estimates of the approximate cost of establishment and tools plant will be found, in respect of irrigation projects, in Paragraph 396 below and in respect of other works, in Rule 19 of Appendix 7 of the A.P. Public Works Accounts Code.

**119.** Estimate for works in which it is intended to use prison labour will, as in the case of free labour, provide for the full marked value of the work to be done, but a note of the reduction, if any, to be effected thereby should be made at the foot of the abstract of the estimate — see Paragraph 488 of the A.P. Public Works Accounts Code.

**120.** Important structural designs should, as far as possible, be prepared in the Chief Engineer’s Office together with the schedule of quantities, and the remaining designing work of importance should be concentrated in the Superintending Engineer’s Offices, the executive offices being left to deal only with designs for the alterations of existing building and less important new works. The responsibility for the technical features of a design lies with the office of origin. Local officers will be responsible, however, for settling locally,

questions connected with the foundations and other similar matter. Subordinate officers should always bring to the notice of their higher authorities any unsuitability or technical defect in a design.

**121.** All Government servants should treat the rate and the amount of cost entered against each item in an estimate and the abstract showing the total estimated cost of a work or part of a work as strictly confidential. No information concerning them may be communicated on any account to any contractor, piece-worker or prospective tenderer.

## **II. Original Works**

### **(a) Civil Buildings**

**122.** The site of every building should, if possible, be definitely settled before the detailed designs and estimates are prepared. Local authorities must be consulted in all cases as to the site. In the case of works or buildings which are intended to be erected in the neighbourhood of any fort or cantonment, the matter should, in the first instance, be referred to the local Military Works officer for an expression of his opinion from a military point of view, and then submitted to the Government of India in the Defence Department for concurrence, and when such concurrence has been obtained, no deviation is permissible without previous reference to that department.

**123.** Rules regarding Zones of Defence Works will be found in Army Regulations India. Special attention is drawn to the restrictions on the construction of buildings, alteration of ground level and collection of materials in such zones; and to the prohibition of the transfer of State land in zones without the sanction of the Government of India. For further particulars

**124.** Powder magazines should be provided with lightning conductors as directed in the Code of Instructions for the guidance of Public Works officers in the subject. All conductors and their connections with the earth should be inspected and tested periodically, under the rules laid down in that Code, by the Public Works Department officers, a report of each such inspection being submitted to the Superintending Engineer.

**125.** Design for the coach-houses attached to residential buildings should include provision for a motor pit with a wooden covering and a window. The coach-house should be capable of being used either for a carriage or a car.

### **(b) Roads**

**126.** No road, bridge, ferry, tunnel, ropeway or causeway declared by the President to be of military importance, may be abandoned, or allowed to fall out of repair, without the prior sanction of the Government of India.

**127.** Projects for roads when submitted to the Government of India for sanction should be accompanied by the following documents, viz.—

- (i) Report, including a brief note on the proposed gradients.
- (ii) Abstract estimate of cost.
- (iii) Index map.
- (iv) Plans of important works only.

The documents numbered (i) to (iii) above should be either duplicate or copies as they are required for purposes of record by the Government of India, and will not be

returned with the orders on the project. Detailed estimates and sanctions are not required with such projects when being dealt with by the Government of India and need not be submitted.

**128.** Estimate for new lines of road should include the cost of all dwelling and inspection houses to be built along them for the accommodation of inspecting officers, subordinates and others; and the reports prefacing the estimates for such works must be full and informative, clearly showing the necessity for the road, its termini, the class of road proposed, facilities for future maintenance, and the type and volume of traffic anticipated, etc.

**129.** Estimates for bridges must be accompanied by adequate calculations and the report should show how the stream has been crossed hitherto, why it is proposed to bridge it, the kind and volume of traffic expected, whether the stream has ever been bridged before, if so, a description of it should be given and if it failed, the reasons; the kind of bridge now proposed, the reasons for the amount of waterway allowed, the height of roadway above the highflood level and headway allowed for boats, if any, the nature and size of snags, if any, the drainage of the stream — whether flat or hilly, the velocity of current in rainy and dry weather, liability to sudden floods, whether the stream is used for floating out timber, and if so, how the nature of bed and banks, whether the banks are liable to erosion, whether the stream is navigated and if so, by what types of vessels, the highest flood level, maximum and normal, and the nature of materials available within reasonable distance.

Whenever it is proposed to construct or modify a bridge, culvert, dam, diversion or other work, which might affect any railway line in the vicinity, the Railway Administration should be consulted in regard to the adequacy of the waterways etc., provided in the proposals. Where there is disagreement, the matter should be referred to the Chief Engineer, Roads and Buildings Department through the Superintending Engineer concerned. The decision of the Chief Engineer should be final.

**130.** In addition to the actual bridge plans the following plans should accompany an estimate for a new bridge :—

A plan of the stream for 2 kilometres above and below the proposed crossing with connected cross sections, at every quarter of a half-kilometre (or oftener, if necessary) a cross-section of the stream at the proposed showing the general level of the country on either bank as well as that of bridge site road approaches; the various water levels; the depth at which good foundation is available and its nature.

[A Register of bridges has to be maintained in Form No. XV(b) separately for National Highways and for State Roads taking the Division as a unit. Posting of the bridge register should be commenced from the starting mileage of the road in the division. Not more than one bridge should be noted in a page. The name of the road and the starting and ending mileage in that division should be written neatly on the cover page of Register].

[G.O.Ms. No. 913, PWD(Y), Dt. 21—6—1973]

### (c) Town-Supply Project

**131.** For town-supply projects, the nature and quantity of the existing water-supply should be given, and the reasons necessitating an improved supply, the possible sources of an additional supply and the reasons for preferring the scheme submitted to the area and population to be supplied, as well as the estimated daily allowance in gallons per head of population, the quality of the water and whether requiring treatment or not.

**132.** The report should be accompanied by an index map showing the lines of main and distributary piping, and plans of all works, including filters, service reservoirs, settling tanks, etc. The annual cost of maintenance should be estimated and calculations in support of the dimensions and discharges of pipes should be supplied.

### **III. Repairs**

#### **(a) General**

**133.** ‘Repairs’ may be divided into two classes : ‘ordinary’ and ‘special’. Ordinary repairs include—

(i) those which, as a matter of regulation, are carried out periodically and which are usually of the same quantity from time to time, such as the painting or whitewashing of a building, or a new coating of metal on a road;

(ii) other occasional petty repairs which may become necessary from time to time, and which may have to be carried out between the times of periodical repairs;

(iii) in respect of irrigation works all operations required to maintain in proper condition, the works, as they are, i.e., to standards laid down already.

**134.** (i) Special repairs are other than ordinary repairs, i.e., they are repairs which are not periodical or frequent, e.g., re-roofing a building, replacing of beams, renewal of flooring, etc. whenever a work of special or ordinary repairs is accompanied by improvements or extensions, the rule in Paragraph 93 for classifying the work should be observed.

(ii) In respect of irrigation works, special repairs include all operations required to maintain the work in a better condition, i.e., to an improved standard by using material of a more permanent or lasting nature without increasing the efficiency or scope of the system, e.g., cement plastering or pointing in place of ordinary plastering or pointing, plastering in place of pointing, roughstone masonry in place of dry stone packing, revetment to tank bunds at sites of breaches and to margins of rivers at places where they are eroded, grouting newly the surface of the aprons and revetments, lengthening of aprons and revetments to protect erosions noticed in beds and margins of rivers, canals and channels. Whenever a work of special or ordinary repairs is accompanied by improvements or extensions, the rule in Paragraph 379(c) for classifying the works should be observed.

[(iii) In respect of works undertaken by the Roads & Buildings department “Special Repairs” include all operations of road embankments, eroded margins of road, and approaches to bridges, e.g., improvements to revetments of road embankments, restoring the eroded margins of a road or protecting them with revetment etc., vide also instructions in the exceptions to Rules 4 and 5 under Explanatory Note 26 of Appendix 4 to A.P.P.W. Accounts Code. Wherever a work of special or ordinary repairs is accompanied by improvements or extensions, the rule in Para 93 of the A.P.P.W. D. Code for classifying the works should be observed].

[Added by G.O.Ms. No. 1171, PWD, Dt. 23—5—1963]

**135.** Ordinary repairs —Except in the cases contemplated in Paragraph 147, a separate estimate should be prepared annually for the anticipated ordinary repairs of each building at work or group of works during the working year, as detailed in the budget.

**136.** An ordinary repair estimate lapse on the last day of the financial year in the case of roads and buildings. In the case of irrigation works, however, separate working years have been laid down as shown below in order that the estimates may be prepared in

the slack season, and that the end of the financial year may not interfere with the working season of the department :—

	<i>Circle</i>	<i>Division</i>	<i>Date</i>
1.	Waltair	All divisions	31 <sup>st</sup> January
2.	Dowlaishwaram	All divisions	30 <sup>th</sup> November
3.	Vijayawada and other Circles	All divisions	31 <sup>st</sup> March

**Note (i)** :— The annual maintenance estimates of River Conservancy Works of the Krishna river will be closed on the 31st January, those of the Krishna anicut and the floating plant of the Krishna Delta system on the 31st December and those of the floating plant of the Godavari Delta system on the 31st March. The annual maintenance estimates for the Buckingham Canal Division will be closed on the 31st July.

**Note (ii)** :— In future all sanctioned estimates for deposit works whether original works or repairs, will continue to be in force till the work is completed or unless the estimate is operated upon for five years, whichever is less.

**Note (iii)** :—If any annual maintenance and repair work, the accounts of which have under this Paragraph to be closed on the 31st March, is executed under the lump sum contract system, as described in the A.P. Detailed Standard Specifications and the date of completion thereof according to the agreement entered into with the contractor falls beyond the 31st March, the date of closing the estimate for the work shall be the date of payment of the final bill to the contractor after the completion of the work.

**Note (iv)** :— The annual maintenance estimate of the Thungabhadra project low level canal system in Andhra Pradesh area will be closed by 31st March, every year.

[G.O.Ms. No. 1664, P.W.(Y) Dept., Dt. 14—11—68]

**137.** The sanction to an ordinary repair estimate lapses on the last day of the year fixed by the State Government under Paragraph 136. If, however, inconvenience would arise in any exceptional case from the stoppage of the work on the fixed date, the repairs may be carried on to completion, the expenditure after the date being treated as expenditure against a fresh repair estimate of the next working year.

In the case of non-periodical estimates pertaining to irrigation works the time limit of five years prescribed in Paragraphs 139 and 186 for sanctions to estimates for original works and special repairs will apply.

**138.** Repairs estimate should, like those for original works, provide for the removal of all rubbish which may have accumulated, filling in unsightly pits, etc., round the buildings, all works establishment employed specially on the work; and, under separate sub-heads, all watchmen sanctioned by competent authority for the care of vacant buildings, guarding works, working sluices, etc.

**139.** Estimates for special repairs remain current till the completion of the repairs in the same manner as estimates for original works — vide Paragraph 186.

**140.** In cases of urgency the Superintending Engineer may authorise the commencement of periodical repairs in anticipation of the formal sanction to the estimate;

but in such cases an approximate sum must be fixed, to the expenditure of which sanction is provisionally given, and the Executive Engineer will be responsible that sanction of the competent authority is accorded to the regular estimate at the earliest possible date.

**141.** In the case of all descriptions of work for the renewal of which any specific period of time has been fixed, the estimate for its repair should show the date when such item of work was last executed.

**142.** The administrative approval is required for works, which are of the class either ordinary or special repairs. The class of mixed works described in Paragraph 93 above require the same approval as original works.

**143.** To facilitate the preparation of estimates for periodical repairs, a standard measurement of book may be kept in the office of each Executive Engineer, showing the detailed measurements of each kind of work which is usually subject to renewal in each work under his charge — vide Paragraph 295, A.P. Public Works Accounts Code. Standard measurement book should, however, be maintained properly in the case of repairs to floating plant which require periodical repairs such as painting and tarring.

**144.** [Except in the case of lumpsum estimates for ordinary repairs, dealt with under Paragraph 147, the annual expenditure on ordinary repairs to Government buildings (both residential and non-residential) exclusive of municipal taxes, should be limited to maximum of 3 ½ per cent of capital cost. In applying this limit to residential buildings, the capital cost of all residences in each circle will be taken into account and within the total amount so arrived at, it will be permissible to incur upto 4 ½ per cent for building which are over two decades old and 2 ½ % for buildings which are less than two decades old. If, in any year, the expenditure on ordinary repairs to the Government buildings in a circle exceeds the limit of 3½ per cent, the sanction of the Superintending Engineer should be accorded for incurring the excess expenditure].

[Subs. by Memo. No. 1328-Y 68-6, PWD, Dt. 24-3-1969]

As regards special repairs, as defined in Paragraph 134, no limit has been fixed with reference to the capital cost of any building, as such repairs are not annual or strictly periodical. Such estimates should be carefully scrutinized and sanctioned by the competent authority as occasions arise.

**Note 1** —For the purpose of this Paragraph, the term capital cost of buildings excludes the cost of sites and land appurtenant thereto but includes the cost of sanitary and water- supply installations.

**Note 2** :—The limit of 3 ½ percent on the capital cost laid down in the above Paragraph for annual expenditure on ordinary repairs to Government buildings is relaxed in the case of thatched buildings in the Agency tracts provided the annual expenditure on repairs to each of the buildings does not exceed the average of the past five years.

(Memo. No. 1328-Y/68-6, PWD, Dt. 24-3-1969)

**Note 3** :—The instructions in the above Paragraph do not apply to Government Houses and the connected buildings which are governed by specific rules in Paragraph 411 of this Code.

**144—A.** The Executive Engineer and the Electrical Engineer (General) may incur expenditure on the maintenance of electrical installations in Government buildings upto a limit of 3 ½ per cent of the capital cost of the installations without reference to higher authorities. In special cases, in which expenditure in excess of the above limit has to be

incurred, the sanction of the higher authority, viz., the Superintending Engineer or the Chief Engineer, as the case may be, should be obtained to the excess expenditure.

In the case of residential buildings, the provision for repairs to the electrical installations may be included in the lumpsum provision to be fixed under Paragraph 147, of the A.P. Public Works Department Code, this particular item of expenditure being exhibited in the expenditure schedules separately as in the case of "Rates and Taxes" for purposes of accounts.

In the case of the installations in non-residential buildings, a consolidated estimate for all the electric installation in each sub-division should be prepared and sanctioned.

A separate working estimate should be sanctioned to cover the expenditure incurred on account of the cost of the establishment employed to look after the installations in both residential and non-residential buildings including special plant and machinery therein and the expenditure may be distributed annually to the estimates of the several buildings concerned for purposes of capital and revenue accounts.

**Note** :— The above instructions do not apply the Government Houses and the connected buildings which are governed by the specific rules in Paragraph 411 of the Code.

***[Limits for repairs to residential Buildings***

Buildings more than 23 years old 4 ½ %

Buildings 20 years old or less than 20 years old – 2 ½ % of capital cost.

Overall maintenance expenditure to be limited to capital cost of 3 ½ %].

[G.O.Ms. No. 1015, PWD, Dt. 31—5—1 968]

[The Government direct that the maintenance limit of expenditure on Government buildings shall be calculated on the basis of plinth area of the Government Buildings at the Rate of 0.68 Ps. per Sq.ft.]. [G.O.Ms. No. 86, P,W,D., Dt. 3—2—1973]

**Maintenance limit of expenditure — On plinth area basis — Enhancement.**

(G.O, Ms. No. 211, Transport, Roads and Buildings (B.I.) Dept., Dt. 5-7-1988)

Ref :- 1. G.O. Ms. No. 351, T.R. & B, dated 12-10-1982.

2. G.O. Ms. No. 11 12/B.1.2/88.1 dated 31-5-1988.

**Order** :—The existing norms for maintenance of Government buildings were laid down in the GO. 1st read above, wherein the limit of expenditure was fixed on plinth area basis at Rs. 1.20 per sq. ft.

2. The need for proper maintenance of hospital buildings as well as educational institutions has been pointed out from time to time by the concerned departments. The Chief Engineer (Buildings) has also requested for the upward revision of the maintenance norms for proper upkeep of Government buildings and reported that the CPWD has been adopting different norms for Offices, Hospitals and Schools. While in the case of Offices, the maintenance norm is Rs. 1.60 per sq. ft., it is Rs. 2.20 per sq. ft. for Schools and Hostels and Rs. 3.00 per sq. ft. for Hospitals. He has, therefore, requested the Government to enhance the maintenance norms based on the CPWD norms.

3. The Government after careful consideration of the proposal of Chief Engineer (Buildings) have decided that a revised set of norms based on CPWD norms should be adopted by the State Government as indicated in the following paragraphs.

4. The maintenance limit of expenditure of Government buildings on plinth area basis shall be enhanced as indicated below :—

1. Normal residential and office buildings and others not covered by (2) and (3) below Rs. 1.60 per sq. ft. per year.

2. Educational Institutions and Hostel Buildings Rs. 2.20 per Sft. per year.

3. Hospital and Medical Buildings Rs. 3.00 per Sft. per year.

5. Necessary amendments to A.P. Public Works Department Code will be issued separately. The Chief Engineer (Buildings) shall send necessary proposals through the Engineer-in-Chief (Roads and Buildings).

**145.** The estimate when prepared will be submitted to the officer occupying such building, or in the case of military buildings in charge of the Public Works Department, to the Officer Commanding the station for countersignature in token that all repairs now to be required are provided for. In the case of buildings occupied by officers of a civil department occasional repairs not provided for in the annual estimate will be executed on requisitions sanctioned under Paragraph 110.

**146.** Provision for the payment of municipal and other taxes on public buildings should be made in the annual repair estimates in the cases indicated in item 56 in Appendix No. 12, to the A.P. Financial and Account Code, Volume TI.

#### **(b) Lump-sum Repairs Estimates**

**147.** If the cost of ordinary annual repairs, excluding the municipal taxes to a building (residential or non-residential) is less than Rs. 1,000 the Superintending Engineer may prescribe, subject to revision from time to time, a lump-sum limited to Rs. 1,000 (plus the amount of the municipal taxes, if any payable by Government under Paragraph 250) to cover the cost of ordinary annual repairs and within this amount, expenditure will be permissible year after year without any detailed estimate being prepared. The Executive Engineer enjoys similar power upto a limit of Rs. 500 for each building. Such lump-sum estimates should be framed after a consideration of the cost of maintenance in the past and is not subject to the 1 per cent limit under Paragraph 144 except in the case of residential buildings. If, in any working year, this estimated cost of ordinary repairs is more than the permissible limit given above, or if the lump-sum sanctioned by the Superintending of Executive Engineer is exceeded, a detailed estimate should be prepared, in accordance with the ordinary rules and sanctioned by the competent authority. On sanction being accorded to such an estimate, the sanctioned lump sum estimate would automatically be superseded for the working year in question.

Similarly lumpsum estimates may also be prepared and sanctioned for ordinary repairs to floating plant based on a five-year limit of expenditure subject to the following conditions :—

In the case of staff boats or steamers for which proforma accounts are maintained individually for each plant, the expenditure on any one plant in any years together with the expenditure on that plant in the previous four-year should not exceed the five-year limit to be fixed. In the case of other minor floating plant, a single lump-sum estimate based on a five-year limit to be fixed may be sanctioned for the repair of all floating plant included

in a class and the total expenditure for any one year on all the plant in any one class should not exceed one-fifth of the five-year limit fixed for that class.

### **Electrical Maintenance Works**

Similar lumpsum estimates may also be prepared and sanctioned for ordinary repairs to electrical installations in civil buildings. Where the cost of such annual ordinary repairs is less than Rs. 2,000, the Chief Engineer (Roads & Buildings) may prescribe, subject to revision from time to time, a lumpsum limited to Rs. 2,000/- to cover the cost of annual maintenance of electric installations in civil buildings. The Electrical Engineer (General) may similarly prescribe lumpsums up to a limit of Rs. 500/-. Within this amount the expenditure will be permissible year after year without any detailed estimates being prepared and when the above limits are exceeded in any working year detailed estimates will have to be prepared in accordance with the ordinary rules and got sanctioned by the competent authority.

**Note** — The sanction accorded to lumpsum provision referred to in the Paragraph should be held to be a sanction for an estimate for the amount of lumpsum for all purposes of this Code.

### **(c) Special Repairs**

**148.** It is irregular to classify under “Special Repairs” an estimate which provides for items of ordinary repairs for the reason that the repairs cannot be completed before the date fixed for the closure of annual maintenance estimates.

## **IV — Roads**

**149.** Unless metal is to be obtained by purchase of contract, to be delivered on the road, the estimate should show the proposed cost, divided under “cost of collection” and ‘carriage’; if the metal is to be manufactured the probable outlay on each sub-head of the operation should be shown distinct from carriage.

## **F — CONTRACTS**

### **I. Methods of Execution of Works**

**150.** The works executed by the department are carried out by one of the under- mentioned three methods. Lumpsum form of contract is to be adopted for contracts exceeding Rs. 20,000. If not, prior approval of the next authority is necessary, but Chief Engineer has got full powers :—

[G.O.Ms.No. 859, PWD., Dt. 30-4-1970]

- (i) departmentally, by the employment of daily labour,
- (ii) by piece-work agreement in form Public Works Department V-51, and
- (iii) by an agreement in form Public Works Department V-53, based on a lumpsum tender system, as defined in the Andhra Pradesh Detailed Standard Specifications.

Method (i) is adopted in cases where no contractors are available or where, for other reasons, it is found more economical. Under this method, the department manufactures or purchases its own materials. The purchase of materials or tools and plant and machinery is governed by the store rules in Appendix 15 to the A.P. Financial and Accounts Code (Volume II).

[Under Method (ii), the piece-worker merely agrees to execute a specified work at specified rates without reference to quantity or time. The conditions of the contract add the

security to be taken from the piece-workers for the due fulfilment of the contract are set forth in form Public Works Department, V-51. The piece-worker usually possesses little professional knowledge or capital and employs no supervising staff. The department arranges for the supervision, the setting out and the measuring of all work. The piece work system shall ordinarily be confined to works costing not more than Rs. 25,000. Rupees One lakh for construction or repair works and Rupees Five lacs for transport works. If, any case of improvements and repairs costing above Rs. 2,500 it is considered preferable to adopt the piece-work system instead of Method (ii) reasons therefor should be recorded in the relevant file. The schedule of rates in the piece-work agreement should show the rates either for finished work or for labour and material, as the case may be, even for items for which lumpsum have been provided in the sanctioned estimates].

[Amended by G.O.Ms. No. 1007, Tr.R. & B., Dt. 5-11-1976]

In regard to Method (iii), the details are set forth clearly in—

(1) the Preliminary Specification of the A.P. Detailed Standard Specifications;

(2) the standardized forms of articles of agreement, tender notice and tender mentioned in the A.P. Detailed Standard Specifications [Public Works Department Form Nos. V-53(a) and 53(b) respectively), and

(3) the intermediate and the final bill-forms connected therewith [Public Works Department Forms Nos. VI-75(a) and 75(b)].

In the case of each work executed under Method (ii) or Method (iii), the authority accepting the contract will decide whether it is desirable to retain, in the hands of the department, the supply of imported stores or other materials.

In cases where it is decided that the department should supply certain materials to the contractor for use on the work, a description of every such materials and the rate and place at which it will be supplied should be specified in the notice calling for tenders and also in the schedule forming part of the agreement — vide also Paragraph 327, A.P. Public Works Accounts Code.

In cases where the contractors are allowed to supply the required imported articles themselves, the description of such articles must be clearly defined by governing specifications. For cases where the “British Standard Specifications” standards are not applicable, other suitable methods should be adopted, such as, specifying the catalogue number product of a reputable firm. When test certificates are demanded, full particulars shall be given in the tender notice and the agreement and it shall also be stated therein that the cost of furnishing such certificates shall be borne by the contractors.

## **II. Contract Documents and Enforcement**

**151.** Before a work is given out on contract, the authority competent to accept the contract must prepare “contract documents” to include—

(i) a complete set of drawings showing the general dimensions of the proposed work and so far as necessary details of the various parts-works to be done under lumpsum items in the schedule to the agreement should be clearly defined by specifications or drawings, as necessary.

(ii) a complete specification of the work to be done and of the materials to be used, unless reference can be made to specifications contained in the A.P. Detailed Standard Specifications and its Addenda Volume — (in the case of the items of work for which there

are already standard specifications, the numbers of the relevant specifications of the A.P. Detailed Standard Specifications should be referred to in the schedule attached to the agreement).

**Note** — Items (i) and (ii) above are necessary for both piece-work contracts and contracts based on the lumpsum tender system.

(iii) a schedule of the quantities of the various descriptions of work. (This is necessary only in the case of contracts based on the lumpsum tender system as defined in the A.P. Detailed Standard Specifications. In such a case, the total under the Schedule A of the agreement must be equal to the lumpsum entered in the agreement), and

(iv) a set of “conditions of contracts” to amplify as necessary the preliminary and other specifications of the A.P. Detailed Standard Specifications forming part of contracts based on the lumpsum tender system; (in the case of piece-work contracts, the conditions considered necessary for any particular case in addition to those printed in Form PWD V— 51 should be attached to the agreement).

**152.** The terms of a contract must be precise and definite — there must be no room for ambiguity or misconstruction therein. No contract involving an uncertain or indefinite liability or any condition of an unusual character should be entered into without the previous consent of the competent financial authority.

If the contract, even when it is within the powers of acceptance of the Executive Engineer, is to be of a very special nature, he should, before inviting tenders publicly, submit the contract documents to the Superintending Engineer for his approval or remarks together with a copy of the proposed advertisement for tenders and the form in which the tenders are to be submitted. The Superintending Engineer should similarly, when the amount of the contract is likely to exceed his powers of acceptance or when it is to be of a very special nature requiring in his opinion, the Chief Engineer’s advice, submit the contract documents to the Chief Engineer for approval.

**153.** Contracts should, where possible, be executed on one or other of the standard forms, but they may be modified to suit the requirements of any particular case, or for works of great magnitude, after consultation with the legal advisers of the Government. In cases where it is considered that none of the standard forms can be used even with suitable modifications, the contracts should be got prepared specially by the Government Law Officers.

Engineers and their subordinates are responsible that the terms of contract are strictly enforced and that no Act is done tending to nullify or vitiate a contract.

All agreements entered into with the department by contractor for the execution of works are exempt from stamp duty.

### III. Tenders

**Note** :—The latest orders of the Government are printed under the Chapter ‘Tenders’ in Part II of this book.

**154.** Tenders, which should always be sealed, should I- invariably be invited in the most open and public manner possible, whether by advertisement in the Government Gazette or local news papers, or by notice in English and the vernacular posted in public places, and tenderers should have free access to the contract documents. The Officer opening the tenders should invariably date and initial on all the pages of the tender document.

(G.O.Ms. No. 1597, P.W.D., Dt. 18—6—1965)

The notice should in all cases state—

(i) When and where the contract documents can be seen and the blank forms of tender can be obtained and also the amount to be paid for set of plans or other tender documents;

[(ii) When and where tenders are to be received and opened, the date of receipt of tenders should be atleast 15 days for works costing Rs. 1.00 lakh and less, and 21 days for works costing more than one lakh and upto Rs. 5.00 lakhs and one month or more for work costing over 5 lakhs from the date of issue of the Chit tender notice].

[G.O.Ms.No.1007, T.R. & B., Dt. 5-11-1976]

**Note** :—Sale of tender schedules should be stopped three clear days before the date fixed for receipt of tenders. The officer issuing tender notice may reduce the time for any special reasons to be recorded.

(iii) [The amount of earnest money to accompany the tender shall be 1 ½ % of the estimated amount of the contract, subject to a maximum of Rs. 1.00 lakh in the case of contractors, who have not deposited a lumpsum of standing security deposit of Rs. 1.00 lakh with the Chief Engineer, concerned, and 1 per cent only subject to a maximum of Rs.75,000/— in the case of Contractors who have deposited a lumpsum of standing security deposit of Rs. 1.00 lakh with the Chief Engineer concerned].

[Sub. by G.O.Ms.No. 4710, Tr., Roads & Blds. (CI) Depts., Dt. 7—10—1983]

**Note** :—Minor Irrigation works in Telangana area under the administrative control of P.W. Department entrusted to the ayacutdars for execution are exempt from the collection of earnest money deposit.

(iv) With whom or what authority, the acceptance of the contract will rest.

No tender should be accepted from a person who has been or who has in his employ, a person who has been in the Gazetted Service of Government in any capacity, and has retired within a period of two years prior to the date of tender, except in cases where the officer concerned has obtained specific sanction of Government to do so prior to the date of tendering. Such tender, if accepted, because such information has not been furnished by the tenderer, shall be cancelled when the fact of such tendering comes to the notice of the tender accepting authority.

(G.O.Ms.No. 1845, PWD, Dt. 8—9—1963)

Authority should always be reserved to reject any, or all, of the tenders so received without the assignment of a reason, and this should be expressly stated in the advertisement.

In the case of works to be given on contract based on the lumpsum tender, as defined in the Andhra Pradesh Standard Specifications, the forms of tender notice and tender (standardized as P.W.D. Forms No. V—53(a) and 53(b) should be used with such modifications as any particular work may require.

No tender should be accepted from any person directly or indirectly connected with the Government service — vide Paragraph 72 of this Code.

The Executive Engineer or the Superintending Engineer, as the case may be, should open the tenders in the presence of the tenderers or their authorized agents who may choose to be present at the time. The officer opening the tenders should invariably date and initial not only the corrections in the schedule of quantities, schedule of materials to be issued, specifications and other essential parts of contract documents but should invariably date and initial all the pages of the tender documents irrespective of whether they contain or do

not contain any corrections, overwritings, etc. If there are corrections in the tender unattested by the tenderer, a note of such corrections should be made on the tender itself, when it is opened — vide Paragraph 9 of the Standard Tender Notice PWD Form No.15(a). The Officer opening the tenders should keep a personal note of the total number of tenders opened by him and verify therewith the number in the comparative statement of tenders.

Tenders should be decided within a period of one/two/three months after the expiry of last date prescribed for the receipt of the tenders by the Executive Engineer/Superintending Engineer/Chief Engineer respectively and the decision regarding the disposal of tenders should be indicated at any time within the said period.

During the above mentioned period no plea by the tenderer for any sort of modifications of the tender based upon or arising out of any alleged misunderstanding or misconception or mistake or for any reason be entertained.

(G.O.Ms.No. 271, PWD, Dt. 20—2—1970)

### **Instruction**

#### **Acceptance of tenders — correction of rates in tenders — Instructions — Issued.**

[Memo.No. 136/CQD/80—1, I. & P. (P9 Dept., Dt. 19—2—1980)]

Ref :—Govt.Memo.No. 16—Y/72—4, PWD, Dt. 13—3—1972.

**Order** :—Certain general instructions have been issued through the Govt. Memo. referred to above regarding the acceptance of tenders. A question has raised whether, after opening of tenders if any contractor makes a representation regarding an error that has crept through oversight or inadvertence if any of the rates quoted by him, the revision requested for could be taken into account in evaluating the tender.

Government after careful consideration are of the view that by the very nature of submission made by the tenderer and the facts of the case, it should be possible for the tender deciding authority to ascertain whether it is a case of genuine error out of sheer oversight or inadvertence or it is a case of deliberate attempt to under bid in the first instance and being lowest try to gain advantage by enhancing the rate still below the next higher tender. This can be done by a comparison of the rate quoted with the estimated rate and the rates bid by other tenders for the item in view. In the former case (Oversight or inadvertence) the bid should be corrected according to the request of the bidder and evaluated for further consideration. In the latter case the tender should be summarily rejected and! or such action taken against the tenderer as is permissible under the conditions of the bid or the rules of Registration of Contractors.

After the receipt of the comparative statement and before the selection of a tenderer, the officer concerned should examine all the tenders and satisfy himself that no corrections which were not in that tenders at the time he received them had been made in any of them.

**Note 1** :—Tenders should invariably be called for when the amount involved in a particular contract is [Rs. 5,000/-] or more. If it is proposed, in any case whether for urgency or any other reasons to be recorded, to depart from the rule, works may be entrusted on nomination at rates not exceeding estimate rates by the Executive Engineer, Superintending Engineer or Chief Engineer upto the following limits indicated against each.

Executive Engineer	Rs. 10,000
Superintending Engineer	Rs. 25,000
Chief Engineer	Rs. 50,000

When tenders are dispensed with in the case of contracts exceeding Rs. 20,000 a report should be made by the officer entrusting the work on nomination to the next higher authority indicating the reasons for dispensing with the tenders. When the amount involved is less than [Rs. 5,000/-] the Executive Engineer may call for tenders or not at his discretion.

[Inst. by G.O.Ms.No. 361, Tr, R & B. (B.I) Dept., Dt. 2-9-985]

This rule does not admit of a major work being split up into parts and each part being given out on contract without calling for tenders.

**Exception** :—This rule shall not apply to road works in the Agency tracts. In the case of such works, Executive Engineers are authorised to exercise their discretion as to whether tenders should be called for or not, even though the amount involved may exceed the limit of Rs. 2,500/-. In cases where the Executive Engineer decides not to call for tenders, the reasons for the decision should be recorded by him.

**Note 2** :— Notices calling for tenders should invariably be published in prominent local newspapers in respect of all works costing over Rs. 1,00,000/-.

**Note 3** :— The Chief Engineers may authorize dispensing with tenders in the case of contracts pertaining to major works provided that the total aggregate value of such contracts in respect of a particular major work does not exceed Rs.10,000.

**Note 4** :— When once tenders have been called for a work in accordance with Note (1) above and there is no response or all the tenders received are unsatisfactory and have to be rejected and it is considered that a call for further tenders will be fruitless or undesirable, the officer who is competent to accept the tender may allot the work to a contractor selected by him with the sanction of his immediate superior authority, at rates not exceeding estimate rates.

**Note 5** :— The rule in Note (1) above applies—

- (a) to contracts for execution of works including supply of materials for such works by the contractors themselves, but not to contracts involving only supply of materials (other than road quarry materials) or tools and plant; and
- (b) to contracts for the supply of road quarry materials.

In the case of supply of materials (other than road quarry materials) and tools and plant, the stores rules in Appendix 15 to the Andhra Pradesh Financial Code (Volume II) apply — vide also Article 187 of the Andhra Pradesh Financial Code, Volume I. Asphalt, tar and such bituminous products for road surfacing are governed by the Stores rules.

**[Note 6** :— When once tenders have been called for a work in accordance with Note (1) above, ‘supplemental’ or ‘additional’ items may be entrusted to the original contractor dispensing with tenders as follows subject to the provisions of Para 176(e) of APPW ‘D’ Code.

1. Such items of work that are found necessary after letting out a contract and cannot be taken up for execution independently without interfering with the original work let out and have necessity to be executed along with the original contract shall be considered as 'Supplemental items of work contingent of the original contract'.

2. Supplemental items of work contingent on the main contract have to be necessarily carried out through the original contractor as 'authorised extra' by entertaining into a supplemental agreement(s). The power for executing original contracts according to delegation of powers in force regarding of who has executed the main contract in a given case, subject to however, to the condition that if the net effect of supplemental agreements to be entered into is to enhance the total value of work under the main and supplemental agreement to such an extent at sanction to revised estimate is required to a higher authority than sanction of the revised estimate from the higher authority shall be obtained before entering into supplemental agreement(s).

3. Such items of works that are found necessary after letting out a work and be executed independently without affecting or interfering with the execution of the work let out, shall be considered as 'Additional items to work not contingent on the original contracts'. Such additional items of work may be let out after call of tenders. However, if at tender call is considered undesirable and it is considered necessary to entrust the item of work on nomination to the original contractor involving the provision in Note (1) above it may be done so, provided the total value of such additional items does not exceed upto which the officers can entrust works without calling for tenders as per the delegation of powers in force. If the value of the items exceeds the limit, approval of the next higher authority shall be obtained. They can be executed only after separate estimate or a revised estimate or a workslip containing the additional items is sanctioned/approved by the competent authority. Entrustment of such items shall be at rate not exceeding the estimate rate.]

[Subs. by G.O.Ms.No. 169, TR, R&B(CI) Dept., Dt. 25—5—198 1]

**Note 7** :— (a) In the case of river conservancy works, reach—wise major estimates can be split up into the various working estimates, for different items of work, such as supply of stones, conveyance of stone by Punts along the River Channels or Canals and other miscellaneous works of pitching or packing stone or Earth work etc., where all these items of work cannot be successfully and speedily executed by one single contracting agency in time.

(b) In the case of collection of stone which has to be made at short notice, the agencies for supply of stone and its conveyance can be fixed in advance by calling for open tenders for rate contract quotations annually for the period from July to end of June each year on the analogy of the rate contracts awarded by Director-General of Supplies and Disposals, for supply of stone materials and Tools and Plant articles.

(c) [For the other miscellaneous items of works and those involving labour and earth work etc., reach-wise tenders may be called for. These tenders are to be compared with the basic rates and decided. The basic rates are arrived at by taking the average of the accepted tenders of the past three years].

[Subs. by G.O.Ms.No. 1169, P.W. (Code), Dt. 12—11—1973]

During the above mentioned period no plea by the tenderer for any sort of modifications of the tender based upon or arising out of any alleged misunderstanding or misconception of mistake or for any reason should be entertained.

[G.O.Ms.No. 2215, Public Works (Y) Dept., Dt. 21—10—1964]

### Instruction

(Memo.No. 101/Y/70—1, Dt. 20—7—1970)

**Order** :—The Accountant General, Andhra Pradesh suggested to Government that in the case of works let out on nomination basis, an amount equal to 2 ½ or 5 per cent of the value of contract works has to be recovered from the contractors before the agreements in piece work or lumpsum forms respectively, are signed by competent authorities, as the provisions of parts 154 and 155 of the A.P.P.W.D. Code do not provide for the same. He desired that necessary clarification be made and the relevant rules in the P.W.D. Code be amplified.

2. In consultation with Chief Engineer (General) and Accountant General, Andhra Pradesh, the Government of Andhra Pradesh direct that

(i) The Earnest Money Deposit should be collected in respect of nomination contract as in the case of K—2 contracts but, where this is not done, i.e., where 2 ½ % is not collected in advance, deductions must be made from each bill at 5%, and

(ii) These orders do not apply to job works for Rs. 500 and less and for works entrusted to special agencies of execution of like Bharat Sevak Samaj Labour Contract Cooperative Societies etc.

### Instruction

(C.E.'s. Cir. Memo.No.Rc.F1 (2)177279/68, Dt. 24—7—1970)

**Order** :—Certain instances have come to the notice of the Government wherein officers of Public Works Department have awarded works on nomination by splitting up works when there was no response or poor response to tender calls for the entire work without again calling for tenders for the split up work.

The attention of the Chief Engineer is invited to the instructions issued in Government Memo.No. 553—N2/66—2, P.W.D., dated 17—3—1966 and Government Memo.No. 94—Y/66—4, P.W.D. dated 16—1—1967. The Departmental Officers were authorised to split up large works in such a manner that they are capable of independent execution without interference with the progress and actual execution of the other places into which the work might have been split up. The intention is that the small contractors with limited resources may also have the opportunity to compete with the bigger contractors and reduce monopolistic tendencies. In spite of instructions in Para 2 of the Government Memo No. 94/Y/66—4, P.W.D., dated 16—1—1967, the Departmental Officers shall continue to invite tenders for large works though they can be conveniently split up into parts as envisaged in the above instructions. After noticing that there is poor response or no response from the tenders, the officers split up the work and entrust them on nomination. This practice deprives the benefit of lower rates to the Government, had tenders been called for again after splitting up the works.

After careful consideration, the Government direct that the instruction issued in Government Memo. No. 94—Y—66—4, PWD, Dt. 16—1—1967 should be followed scrupulously. If, for any reason, it is not possible or convenient to slip up large works before calling for tenders and tenders are called for the entire work and there was no response poor response, the Departmental Officers should split up the works in a judicious manner and call for tenders again for these split up works. If the tenders are still high even after repeated

tenders calls and if it is considered that further calls will be fruitless, the Departmental officer may allot the split up works on nomination to various contractors selected by him within the estimate rates as per Notes 1 and 4 of Para 154 of A.P.W. 'D' Code, or execute such works departmentally or through petty job works, supplying materials departmentally.

The Chief Engineers under the administrative control of public Works Department and Public Works Department (Project Wing) are requested to ensure that the above instructions are scrupulously followed by all the officers concerned.

### Instruction

*(Memo.No. 759/Jrr. IV/2/75 8, Irrigation & Power Dept., Dt. 10-7-1975)*

**Order** :—In the Chief Engineer, Major Irrigation & General's Circular Memo. first read above, the officers of the Department were instructed not to accept any tenders containing a rate more than about 15% above the sanctioned estimate rate for any individual item of work. The Superintending Engineers of Dowleshwaram and Anantapur circles have requested that the margin of 15% specified for each item in the Chief Engineer, Major Irrigation & General, Circular Memo may be raised to 25% as the tendered rates for individual items of work are likely to exceed the sanctioned estimate rate by more than 15% due to several indefinite factors. The Chief Engineer, Roads & Buildings had also suggested a variation of 25% instead of 15 per cent stating that some times the schedule of rates may not be realistic and further proposed that this 25 per cent variation from the estimate rate must apply both for excess rate as well as low rate quoted by the tenderer.

The Board of Chief Engineers have considered the above proposals of the Superintending Engineer, Dowlaishwaram and Anantapur circle and the Chief Engineer, R & B, in their meeting held on 4—12—69 at Hyderabad and decided as follows

1. To accept any tender containing a variation in rates of (plus) or (minus) 25% of the sanctioned estimate rate for any individual items of work.
2. In respect of items of any tender where the variation in rates exceeds (plus) or (minus) 25% the specific approval of the next higher authority should be obtained.

The Chief Engineer, Major Irrigation and General accordingly direct that the Officers of the P.W.D. Irrigation branch shall implement the above decisions of the Board of Chief Engineers with immediate effect in lieu of the instructions is issued in Chief Engineer. Major Irrigation General's Circular Merno.No.Rc.F1(2)/77279/68, dated 3-10-1968.

Deviation from the above instructions will be viewed seriously and the officer accepting the tender will personally be responsible for any monetary loss to Government.

### Instruction

*(Memo.No. 1348/Y/68 4, Dt. 24-11-1970)*

**Order** :—The Chief Engineer, Major Irrigation and General is informed that no approval of Government is required for tenders which are within the competency of Chief Engineer even if individual rates are over + 25%. It is for the Chief Engineer to examine the tenders in all aspects as per the rates in force, and accept the tender. Acceptance of tenders with individual rates over 25% is the responsibility of the Chief Engineer, and he should record reasons in the comparative statements, in case such tenders are accepted by him.

### **Instruction**

During scrutiny of tenders and revised estimates various irregularities committed by Departmental officers in acceptance of tenders, and preparation of estimates have come to the notice of Government. It is observed that the irregularities committed were mainly due to non-observance of the codal rules and instructions issued by the Government from time to time. The various irregularities noticed could be avoided if the departmental officers observed the codal rules scrupulously.

The various types of irregularities noticed and remedial measures to be adopted to avoid a recurrence of such irregularities are detailed below for the guidance of the Departmental Officers.

### **I. ACCEPTANCE OF TENDERS - MAJOR IRREGULARITIES - REMEDIAL MEASURES**

#### *(1) Comparison of tenders with unapproved rates and in modified estimates*

In most of the cases the tenders are called for based on sanctioned estimates. But after receiving the tenders, the rates in the sanctioned estimates are stated to be unworkable and the tenders are compared with modified higher rates based on some data on the plea that the modified higher rates are workable ones.

This procedure is not contemplated in the code rules. This irregularity must be avoided and tenders invariably compared and accepted with reference to the rates in the sanctioned estimates only. If the rates in the sanctioned estimates are found not workable with reference to the current S.S.R. due to the lapse of time or wrong data etc., the proper course would be either to submit revised estimate adopting current schedule of rates before the tender call is made for approval of the competent authority or to submit the tender along with the date to the Government justifying higher rates.

#### *(2) Acceptance of tenders above the estimate rates when competition is low*

There are cases where tenders have been accepted nearly at 5% above the estimate rates when the competition is low and even only one tender is received.

The powers of accepting tenders upto the permissible limits above the rates in the sanctioned estimates should be used cautiously and only after making sure that the acceptance of such tenders is unavoidable.

In case where there is no response to a tender call and a further call is considered fruitless, and the works are proposed to be entrusted on nomination, the works should be entrusted at or below estimate rates, and where the rates exceed the estimate rates as a result of negotiations with a selected contractor or contractors the sanction of the Government is necessary as per Government Memo No. 419/Y/66—3, dated 20—7—1966 and Govt.Memo.No. 1 856/Y/69—2, Dt. 29—12—1969.

Alternatively the instructions issued in Government Memo. No. 5531N/66—2, PWD, Dt.17—3—1966 Government Memo. No. 94/Y/66—4, PWD, Dt. 16—1—1967 and Govt. Memo.No. 101/Y/70—1, PWD, Dt. 25—2—1970 for splitting up works in a judicious way and calling for tenders again for the split up works should be followed.

(3) Lack of sufficient competition from tenders can be avoided if the following precautions are taken

(a) A minimum of one month's time for the receipt of tenders should be given in tender notices, in respect of each tender for works above Rs.1 lakh as per Para 154 of APWD Code.

(b) Wide publicity should be given as contemplated in Note 2 under Para 154 of APWD Code.

(c) Only one schedule of rates should be adopted by all Departments, that is PWD, Electricity, (R & B) etc., to avoid the dearth of contractors, where the rates are low Instructions issued in G.O.Ms.No. 781, PWD, dated 6—5—1967 should be followed.

(d) If the tenders are still high even after repeated tender calls, departmental execution shall be tried by entrusting works to job workers within the estimate rates supplying materials departmentally, — Govt. Memo.No. 101/Y/70—I, PWD, Dt. 25—2—1970.

(4) The authority accepting tenders should carefully observe the following points:

(1) The high rates against any item should not be accepted unless they are justified with reliable data.

(2) The monopoly of works by one or a few contractors in a circle or project should not be encouraged.

(3) When tenders with high rates are submitted by all the contractors in league, they should be rejected, and departmental execution should be proposed.

(5) calling for tenders and execution of works before administrative and technical sanctions are accorded

Instances have come to the notice of Government wherein the Departmental officers have called for tenders for works and accepted them even before the administrative approval and technical sanction are accorded. This practice is contrary to the instructions in Para 173 of APWD Code. However, in respect of really emergent cases instructions in Para 177 should be scrupulously followed.

Instances have also come to the notice of Government wherein the departmental officers have accorded revised technical sanction even before the approval to the revised administrative estimate by the Government and called for tenders, which were compared with the revised estimate prepared. The instructions in Para I of the Government Memo. No. 3A/TC/66—I, PW (PW), dated 2 1—1—1967 that the revised estimates prepared by departmental officers should not be adopted by them for comparison and acceptance of tenders unless such revised estimates are approved by the Government should be followed.

### **REVISED ESTIMATES - MAJOR IRREGULARITIES - REMEDIAL MEASURES**

**1. Inadequate investigations** :—Most of the schemes are not thoroughly investigated in respect of the site conditions and the estimates are prepared in a slipshad manner where by important items of works which should have been included in the estimates are omitted.

A careful study of site conditions during the detailed survey will give proper assessment of the situation in order to make adequate provisions to suit the conditions. Thorough hydrological studies in respect of irrigation schemes are most essential to assess correctly the potentialities of the scheme before taking up the surveys, in order to avoid changes at a later stage modern geophysical instruments may be used to ascertain quickly

the rock levels during the preliminary survey and the same may be verified by duly conducting clay drill core borings during the detailed survey in order to ensure the availability of sound rock at an economical depth and to avoid the change of the scope of the scheme or the site at a later stage on account of the non-availability of sound rock for foundations. The block levelling and preparation of block plans will be helpful to finalise the alignment of branch canals and major distributaries and to localise the available commandable ayacut and to avoid alterations at any stage. In respect of the main canals and branches, and major and minor distributaries detailed survey to the last block (of 100 acres limit) is necessary to provide fairly correct assessment of the provisions, regarding (i) L.A., (ii) Head Sluices, (iii) Drops, (iv) CD. works, (v) Bridges etc., and of their correct positions in order to avoid any excess at a later stage. In addition, the evaluation of site conditions during the detailed investigations is very necessary, in order to have an idea of the availability of local materials and skilled labour and to assess the necessity for the importation of additional labour required for the works and to work out the probable cost towards their transportation charges and their amenities. Detailed investigation will help in real savings of money and time ultimately.

Detailed estimates should be prepared before according administrative sanction in accordance with the instructions issued in Government Memo No. I 762/N2168—2, dated 25—5—1968.

The Chief Engineers should personally inspect the site of projects costing over Rs. 10 lakhs before according technical sanction according to the instructions issued in G.O.Ms.No. 1467, P.W.D., dated 16—5—1959

(Govt. Memo.No. 258/6071P.W.D., dated 12—2—1969)

**2. Improper estimating:**—Mistakes are noticed in working out the quantities and rates of items of work. Some times important items of works also are omitted while pertaining the estimates, due to lack of knowledge and experience and due to carelessness. Inspection of site and scrutiny of data by Superintending Engineers similarly as in the case of works costing over Rs. 10 lakhs which are reported to be inspected by Chief Engineers will help correct preparation of workable estimates with adequate and reasonable rates. Correct provision for all the items necessary for the work and correct preparation of data for a work is possible only if the officer has an intimate knowledge of how exactly the work is to be executed. Failure in this regard results in preparation of defective estimates leading to upward revision later.

Excesses in revised estimates are not due to the increases in the cost of materials and labour rates but also due to the following facts.

**3. Changes in specifications:**—In some estimates, etc., surki mortar originally proposed in the sanctioned estimate is changed to cement mortar during execution, due to the non-availability of good surki in the locality thus resulting in excess expenditure.

It is necessary to study carefully the site conditions and the availability of local materials and to adopt suitable specifications to avoid changes at a large stage. Departmental officers should not change the specifications during execution without the prior approval of the authority who has sanctioned the technical estimate and also the authority competent to sanction the revised estimate if the extra expenditure involved necessitates preparation of a revised estimate. The change in the specification should not be proposed unless it is economical or unavoidable.

**4. Change in quarries and leads of materials** :—Sometimes the excess in the estimate is reported to be due to increase in leads of materials on account of the quarries originally adopted not yielding the required quantity of materials.

Necessity for change in quarries arises only if the quarries are not investigated properly in the first instance and the quarries adopted in the original estimate are not live ones, so it is necessary to study the site conditions carefully and propose good and live quarries which yield adequate materials.

Suitable for the work so as to avoid change of quarries with increase leads for materials and consequent increased rates instructions issued in Government Memo. No. 161 1—Y/67—19; dated 18—3—1969 for maintenance of a road Metal Rate Book should be followed scrupulously. Failure of officers to attend to this important item should be seriously viewed.

According to condition 8 of the tender notice (IS contract) every tenderer is expected before quoting his rates to inspect the site of the proposed work and also the quarries and satisfy himself about the quality and availability of materials and the Government will not, after acceptance of a contract rate pay any extra charges for lead or any other reason, in case the contractor is found later on to have misjudged the material available. In spite of the above specific provision it is noticed that the departmental officers are entering into supplemental agreements to cover extra leads on some protest or other, necessitating revision of estimates. This procedure is highly irregular and should not be adopted. Serious view should be taken if the above instructions are not followed scrupulously.

**5. Change in design, alignment and scope of the scheme** :—It is noticed that the designs originally prepared are often revised, alignment of canals and branches are changed and the scope of the scheme are also changed adopting alternative sites for the construction of main structures during the execution without obtaining the prior approval of the authority competent to accord administrative sanction. For example, cause ways designed in the original estimate are changed as submergeable bridges during execution involving excess cost. The alignment originally proposed is changed, adopting alternative alignment which is not economical. The original site proposed for the construction of spillway and earth dam is changed during execution adopting an alternative site and thereby changing the scope of the scheme.

As required in Para 189 of APWD Code the departmental officers should not change the design or alignment of canal or change the dam site during execution without prior approval of the authority who sanctioned the original scheme. These changes should not be proposed unless they are economical or unavoidable.

**6. Inclusion of new items not originally contemplated** :—The L.S. provisions like cross masonry works, namely drainage culverts, syphons, aqueducts and bridges originally provided are found subsequently inadequate during execution and thus the new works originally not contemplated are proposed and executed with huge excess.

It is necessary to take up the detailed investigation of canal branches and distributaries and to assess correctly the number of structures required and their positions for estimating their cost after preparing detailed estimates wherever possible for each type work and providing adequate S.S. provisions for similar works on the basis of past experience instead of providing inadequate L.S. provisions, in order to avoid the omission of essential masonry

works. It is also noticed that detailed estimates are not worked out for all masonry works of canals and distributaries while obtaining original sanction and while according technical Sanction by Departmental Officers and even while approaching Government revised administrative sanction. The L.S. provisions are generally allowed during preliminary survey but not in the original estimates submitted for sanction after detailed investigations. It is necessary that detailed estimates are worked out for all works including canals and distributaries during the detailed investigations. It requires careful study and past experience to make the provisions under L.S. items as accurately as possible. So a careful scrutiny of proposals by superior officer is necessary in the preparation of proper estimates with realistic provisions.

**7. Importation of labour and providing labour amenities** —Evaluation of site conditions is generally not done during the detailed investigation to ensure adequate provision in the original estimate. On account of this the departmental officers are not posted with the resources available in the area with reference to the availability of skilled and unskilled labour and additional imported labour necessary to execute the works.

It is necessary to assess the quantum of additional imported labour necessary for items of works with reference to quantities and the labour required (as per Standard Data) according to the phased programme to complete the execution and the cost involved in the transportation of labour from a particular place and to work out the cost for importation of additional labour necessary. Depending on the number of additional labour necessary importation, the cost towards labour amenities should be worked out. The departmental officers should carefully study the site conditions during investigation and make adequate provision in the original estimates for the importation of labour and labour amenities after working out the cost for all works when the distances and other conditions are not identical. So it is necessary to work out realistic estimates to minimise excess in the estimates to a reasonable extent. The instructions issued in G.O.Ms.No. 1624, P.W.D., dated 29-11-1969 and G.O.Ms.No.1452, P.W. (Y) Dept., dated 29-8-1970 regarding the procedure to be adopted in making provision for importation of labour and labour amenities in the estimates should be followed scrupulously.

**8. Anticipated credits** :—It is noticed that suitable provisions is not being made in the estimates towards anticipated credits, if any, e.g., dismantled materials stone obtained in (excavation) which is useful value of retrievable materials. Suitable provision should be made towards anticipated credits in the estimates invariably in future.

**9. Changes in classification of soils:**—Many estimates are being revised due to higher classification of soils met with during actual execution. It shows that detailed estimates are not prepared carefully, by excavating adequate number of trial pits to the required bed levels of canals and classifying the soil correctly. The detailed estimates should always be prepared after excavating trial pits to the proposed bed level and the trial pits should be spaced at a minimum of 110” intervals so as to give reasonably accurate picture of classification of soils. Before starting the excavation of the main canals of big size (or when higher classification is expected during the excavation) pre-classification of soils as per trial trench classification at 10” intervals is recommended. In fact the trial trench classification (Pre-classification of soils) is a fool-proof method, which may make it impossible for the contractors to claim higher classification of works after completing the excavation of works. On the other hand, the open classification of soils based on thandogs left after excavation is completed would give room for corrupt practices by re-classification

of soils to the higher side. Moreover, it is also possible to know the variation in the classification of soils between the estimate and actual execution before starting the excavation of canals, by adopting trial trench classification of soils to assess the excess cost for obtaining revised administrative approval. The trial trench classification has been adopted in the execution of N.S. Main Canals excavation with good results, thus considerably minimising the excess due to variation in the classification of soils. As reported by Chief Engineers, N.S. Canals variations of the classification of soils are not much upto 42/0 mile of N.S. Right Canals where trial trench classification was adopted for the works executed through contractors except in the reach 35/4+330 to 360 miles where open classification was adopted for the works executed through workers. It is useful to adopt the same procedure in all schemes in the state for the excavation of canals with wide sections or wherever more than three classifications of soils are anticipated, in order to avoid excess due to classification of less soils.

**10. According technical sanction to the estimates beyond 10 per cent against the corresponding sub-head provision of the sanctioned project estimate** :—Instructions were issued in Para 4 of the G.O.Ms.No. 800, P.W. and T., Dt. 21-4-1955, that without sanction of competent authority, expenditure in excess of the provision in the sub-heads of the sanctioned estimates should not be incurred. Again in Government Memo. No. 553 1N2/ 66-2, P.W.D., dated 17-3-1966 instructions were issued that wherever excess expenditure is anticipated in any sub-head, sanction of Government should be obtained for the excess in the sub-head.

Also Chief Engineers have been instructed to ensure that whenever the sub-head provision exceeds 10% of the corresponding provision of the sanctioned project estimate they should approach the Government for approval and no estimate should be technically sanctioned by them or other officers beyond permissible limit pending Government sanction except when it is ensured that the excess can be met from the probable savings under other sub-heads.

In spite of the above instructions, it is observed that, in many instances, the departmental officers are according technical sanctions in respect of sub-works much in excess of the provisions in project estimates against the sub-heads and also beyond their powers to sanction excesses without obtaining prior sanction of the Government. Monthly statements in respect of works costing Rs. 5 lakhs and above showing upto date total amount of estimates sanctioned technically against the corresponding sub-head provisions of the sanctioned project estimates are being furnished to Government. In order to keep a watch on the estimates sanctioned by departmental officers and to see that it does not exceed the sanctioned sub-head provisions of the project estimate for which administrative approval is accorded, similar action may be taken in respect of works costing below Rs.5 lakhs. If sufficient care is taken in this regard, excess in R.E. will, be fully kept under check.

**11. Submission of revised estimates based on actuals** :—The departmental officers have powers to accept tenders and execute works with excess quantities only upto the limits specified. If excesses are beyond their competition to approve, the revised estimates have to be sanctioned by Government. Abuse of powers by departmental officers in incurring expenditure beyond the limits specified should be taken serious notice of.

**12. Incorrect comparison of revised estimate, with the estimates sanctioned technically for the purpose of obtaining revised administrative sanction** :—It is observed that, while submitting the revised estimates to Government for obtaining revised

administrative sanction the provisions in the revised estimate are being compared with the provisions in the estimate sanctioned technically by departmental officers (which are generally in excess of about 10% over the amount of administrative sanction).

The Chief Engineers are informed that the Accountant-General has suggested that the revised estimates may be compared with original administration approval as well as technical sanction. The Chief Engineers are requested to follow the above procedure.

**13. Submission of a revised estimates after the work is completed** :—Revised estimates with huge excesses are sent to Government for approval long after the works are completed. Thus the departmental officers are transferring their powers and confronting the Government with an accomplished fact with the confidence that by such method their actions will automatically be ratified by Government.

The Departmental Officers have been told repeatedly that as soon as the excess in the estimate is found necessary or unavoidable, they should submit a revised estimate at an early stage of construction. The Departmental officers should scrupulously follow instructions in Para 214 of A.P.P.W.D. Code and avoid incurring excess expenditure beyond their powers without prior approval of the competent authority. Un-authorized execution of works in excess of sanctioned amount beyond the permissible limits will be viewed seriously by the Government.

**14. Deliberate under-estimating** :—Cases of deliberate underestimating so as to ensure that the scheme is sanctioned giving revenue return of 1.5% for M.I. schemes for reducing the estimate cost to enable its being sanctioned at the level of Chief Engineer or Superintending Engineers have come to the notice of Government.

The departmental officers must give a correct picture of the actual cost of the scheme leaving the discretion to Government for its sanction. Under estimating or intentionally reducing the cost of scheme should be avoided.

**15. Delays in execution result in excess cost** :—Due to delay in the execution of the scheme as per the phased programme, the cost of the schemes will shoot up because of the price spiral.

Speedy execution and completion of works before the target dates will reduce the cost of construction and avoid revision of estimate. Estimates should be prepared making necessary and adequate provisions to complete the works under phased programme, after careful study of the resources and the site conditions. The real efficiency of the departmental officers has to be judged with reference to the preparation realistic estimates and execution of works within the target dates with economy and without boosting up the rates. Speedy execution of works with exorbitant rates should not be allowed except in the case of emergent works, and that too with the approval of the competent authority.

**16. Procedure for dealing with inevitable excesses that may occur during execution of works** :—The excess in the revised estimates of major projects and schemes may be inevitable due to conditions beyond the control of the department example

1. Increase in cost in the present context of rising cost of works that are spread over a long period.
2. Increase in schedule of rates on labour and materials.
3. Increase in the cost of controlled materials.
4. Increase due to more excavation foundations based on the geology of rocks.

5. Increase in un-precedented and providential damages if reported in advance and the cost of such damages and proposed write off as per clause 50 of A.P.S.S.

The officers should deal such cases judiciously and intimate the competent authority in advance.

[CE's Circular Memo.No. Rc A2/77279/68, Dt. 16-2-1978]

(1) The Board of Chief Engineers at its meeting held on 4-12-1969 have decided that in respect of items of any tender where the variation in rates exceeding (plus) or (minus) 25 per cent the specific approval of the next higher authority should be obtained. The Chief Engineer (Projects) Drainage wing has pointed out during discussions in the Board of Chief Engineers meeting held on 30-1-1971 that several minor items in a tender involving variation in quoted rate over and above (plus) or (minus) 25% are being referred to higher authorities for approval even though such minor items have no material effect on the overall tender percentage excess or less as they are all of very small value. He has therefore suggested that;

(2) The approval may have to be obtained from higher authority for items exceeding (plus) or (minus) 25 per cent over estimates rate provided the tendered value of such item is above Rs. 1,000/— on any individual items or alternatively the estimated value of such items put together is lower 10 per cent of the estimate value of tender under consideration.

(3) The above suggestion was considered by the Chief Engineers at the meeting held on 30-1-1971 and it was decided to clarify the previous decision of the Board of Chief Engineers, dated 4-12-1969 mentioned in Para 1 above as follows.

(4) In respect of items of any tender where the variation in rates exceeds (plus) or (minus) 25 per cent the specific approval of the next higher authority should be obtained.

(5) However, in respect of minor items in a tender, whose quoted rate will not substantially affect the overall tender percentage, the authority competent to accept the tender can do so without referring to higher authority irrespective of the percentage variation in the quoted rate after full satisfying himself that the quantity specified in the tender schedule under these minor items do not alter in actual execution.

(6) The S.Es. are informed, that for any variation in the quantities specified in the tender schedule under such minor items with abnormal high or less rates during actual execution resulting in charge is the over-all tender percentage of the tender, the tender accepting authority who has accepted these rates under the above discretionary powers will be held personally responsible for any consequent monetary loss to Government.

(Govt.Merno.No. I 6—Y/72—4, Dt. 13-3-1972)

A review of the quarterly return on the acceptance of tenders other than the lowest has revealed some irregularities in the acceptance of tenders. The following instructions are issued for the guidance of departmental officers:

**Acceptance of the lowest tender:**—In respect of the work relating to strengthening of Surepally Major Distributary, the lowest tender was rejected on the ground that the tenderer did not sign the tender documents. Non signing of a specification should not be the sole reason for rejection of the tender. If the tender is otherwise acceptable, the tender accepting authority should call for the tender and obtain his signature. The Chief Engineer (Major Irrigation and General) is requested to re-circulate the Chief Engineer's Confidential Officers for their guidance. In respect of the same work, the second lowest tender also was rejected on the ground that it had been received late after the time fixed for receipt of tenders. Tenders received after the time should not be taken into consideration for comparison of tenders. Such lapses should be avoided.

In respect of work relating to excavation of the toe trench in block No. 73 of Srisailam Dam, the lowest tender was rejected on the ground that the tenderer was a new man. According to the confidential instructions issued by the Chief Engineer (General) in Memo.No.1237-Ac/G1., dated 19-6-1935 the fact that the lowest tenderer is a new man is not by itself a sufficient reason for the rejection of his tender. In such cases, enquiries should be made as to his financial status and capability. If having regard to the nature of the work to be done and the result of enquiries it is found that the tenderer is suitable, his tender should be rejected. Instructions in the Chief Engineer's Memo.No.1237/Act/35/G1, dated 19-6-1935 should be scrupulously followed by the Departmental Officers.

**Finalisation of tenders within the validity period:-** It is noticed that tenders which require Government approval are sent up to Government after considerable delay. In all cases where approval of higher authority is required, the Chief Engineer should ensure that tenders are sent to the concerned authority as quickly as possible at any rate within one month of their receipt.

The monthly return presented in Government Memo.No.1406-Y/70-1, dated 25-1-1970 should indicate where the delay occurred as also the detailed reasons for the delay.

Revision of tenders after tender call:- In some cases it has been noticed that after call of tenders revision of estimates has been proposed. Revision of estimates after tender call with a view to bringing down tender percentage is irregular. If there is need for revision of estimates, it should be done before the tenders are called for.

In the return of the Chief Engineer, Nagarjunasagar Left Canals for the quarter ending March, 1971 some items were not shown although acceptance of tenders was over for the reason that the arrangements were not concluded. It is clarified that the date of acceptance of the tender is the criterion for inclusion in the quarterly return and not the date of conclusion of agreement.

**Note:** Tenders should invariably be called for when the amount involved in a particular contract is Rs.20,000 or more. If it is proposed, in any case, whether for urgency or any other reason, to depart from this rule, and entrust the works on nomination at rates not exceeding estimate rates, the previous approval of the Superintending Engineer should be obtained in the case of works costing not more than Rs.50,000 of the Chief Engineer in the case of work costing not more than Rs.1,00,000. When the amount is less than Rs.20,000 the Executive Engineer may call for tenders at his discretion. This rule does not however, admit of a major work being split into parts each costing less than Rs.20,000 and each part being given on contract without calling for tenders. In the case of Chief Engineer Works, powers of the Executive Engineer, Superintending Engineer and Chief Engineer to dispense with the call of tenders are limited to Rs.1,000, Rs.2,500 and Rs.5,000 respectively.

**Exception:-** Deleted.

**Note 2:-** Notices calling for tenders should invariably be published in prominent news papers in respect of all works costing over Rs.5,00,000]

[G.O.Ms.No.1007, T.R. & B., Dt.5-11-1976]

**Instruction****Execution of Works under contract system — Revision of Estimates, etc. —  
Modification of existing provisions**

(GO. Ms. No. 37, Transport, Roads and Buildings (B.I.) Dept. Dt. 30-1-1990)

**Order** —Government have been considering for some time various measures aimed at promoting efficiency and economy as also time and cost consciousness in planning and implementation of various public projects. It is considered that inadequate and superficial investigation practices vastly contribute to diseconomies and inefficiencies and some times even to outright wastage of public resources. Faulty investigation not only leads to subsequent inflation of costs, but also inhibits competitive bids, which would have been otherwise forthcoming, if the entire quantities of work involved are correctly estimated and included in the original tender. Further change if the scope of the work midway leads to cost escalation, legal complications, unintended benefits to contractors and inordinate delays in the completion of projects. In order to effectively control the time and cost overruns in the implementation of the projects and to fix up specific responsibility for proper investigation, implementation and monitoring of the projects and to avoid additional burden on public exchequer by way of escalation and subsequent revision of estimates, the following instructions are issued :—

(1) As all the project works are to be implemented strictly in a time bound manner, no clause providing for escalation shall be included in any future contract except in respect of works covered by external assistance.

(2) As already laid down in G.O. Ms. No. 430, dated 24th October, 1983, all claims of the contractors above Rs. 50,000/- should be settled in a Court of competent jurisdiction by way of a regular suit and the agreement should specifically prohibit arbitration for settling such claims.

(3) The A.P.P.W. Department Code already provides that the Chief Engineer should inspect all works costing over Rs. 10 lakhs before technical sanction is accorded. In order to ensure that this inspection serves the objective in view, a detailed check-memo is hereby prescribed and given in Annexure-I to this G.O. The Chief Engineer's inspection should be thorough and detailed and should cover

- (a) the suitability of site
- (b) the suitability of foundations
- (c) adequacy of design
- (d) soils and materials (qualitative and quantitative) and leads
- (e) soil classification of trial pits upto hard rock level
- (I) dewatering
- (g) land acquisition
- (h) forest clearance, etc.

Only after the Chief Engineer is thoroughly satisfied on all the above aspects that the project is feasible and is also capable of immediate execution and the estimate represents a true and correct picture of the work involved, he should accord the technical sanction.

A check slip for the inspection of the Chief Engineer is given at Annexure. A copy of the technical sanction issued, together with the inspection report, should be invariably sent to the Government. If these instructions are followed, the cases of revision of estimates particularly on account of change in the soil classification or quantities of materials should be few and far between. It is expected that the Chief Engineer would personally satisfy himself that the estimate technically sanctioned by him incorporates the full requirements of the project consistent with the conditions at site.

These instructions should also be followed *mutatis mutandis* by Superintending Engineers and Executive Engineers while according technical sanction with the modification that copies of the technical sanction and inspection report be submitted to the next higher authority.

(4) Since most of the works are on L.S. contract system, time is the essence of a contract. It is therefore absolutely necessary that a realistic period for the execution of the work is assured at the beginning and strictly adhered to.

For this purpose, at the time of entering into an agreement, the contractor should be asked to give a detailed programme for execution of work, physically and financially (item wise), completing the entire work well within the time prescribed. In the alternative, the consent of the contractor should be obtained to the programme work drawn up by the department. If the work is not completed at the end of the contract period, action should be taken to determine the contract under the relevant clause of A.P.D.D. S. If there are valid reasons for extending the contract period, proposals for extension of time should be sent to the authority competent to accord administrative sanction sufficiently in advance and in any case at least one month before the expiry of the contract period.

It may be specifically provided that the period of agreement operates from the date of signing of agreement and not from the time of handing over of site, as some contractors deliberately avoid taking possession of the site.

***In respect of check measurements and passing of bills :—***

(5) Check measurement should be done as per para 294 of A.P.W.D. Code and G.O. Ms. No. 405, Irrigation (Projects Wing) Department, dated 14-8-1984. The components selected for check measurement should not be less than 50% of the value of the work done and specially include such of the items where there is scope for fraud, In the case of embankments, L.S. of Cut-offs should invariably be checked for levels as well as for soil classification and also their suitability for foundation and impermeability by the sanctioning authority or by the Superintending Engineer incharge of the work. In cuttings, soil classification should be checked as per the existing instructions contained in Government Memorandum No. 364fNSP-II(i)180-21, dated 29-10-1984.

Whenever the total value of work executed under contract exceeds the percentages of passing of excess by respective sanctioning authorities, further work is to be executed only after sanction of Government.

(6) **On-going works and extension of time** —In respect of on-going works, for which technical sanction was accorded by Chief Engineers, in which the final expenditure is expected to exceed the original estimate by more than 15%, a report should be sent to the Government within one month from the date of issue of this order. The particulars of such works should be furnished clearly explaining the circumstances under which the provisions in the original estimate are being exceeded. Copies of the reports should be

simultaneously sent to Commissionerate of Tenders, who shall scrutinise the proposals and offer their comments on the justification for exceeding the estimate provisions. After taking due note of the comments of the Commissionerate of Tenders, orders will be issued by the Government. Pending issue of such orders by the Government, expenditure could be incurred upto 15% over and above the amount for which administrative sanction has been accorded.

2. All the Chief Engineers should ensure that cases in which estimates of works are to be revised, are inspected immediately by Superintending Engineers and Executive Engineers concerned and proposals are sent to Government and Commissionerate of Tenders within the time frame prescribed.

3. To the extent of the instructions issued above, all earlier instructions and provisions of the code stand modified.

### **Annexure**

#### **Check slip to accompany estimate for civil works for technical sanction**

1. Name of work

2. Cost of work

3. Provision in the Project Estimate

(a) Reference to Administrative approval

4. Whether the following enclosures are sent

(a) Report in the form as prescribed in G.O. Ms. No.1514 GL.1179-1, dated 21-11-1979.

(b) Abstract of estimate as prescribed in C.E. General Circular No. F4/707 1/79-4, dated 1-11-1979.

(c) General Index Plan, Site Plan and Typical Drawings showing the general features of the work.

5. Designation of highest officer who inspected and the date of inspection for

*Designation*

*Date of  
Inspection*

(a) Suitability of site

(b) Suitability of foundation

(c) Adequacy of design suiting local condition

(d) Soils and materials, qualitative and quantitative and leads

(e) Soil classification of Trial pits upto hard rock level

(f) Abnormal dewatering:

(g) Land Acquisition

(h) Forest Clearance

(i) Availability of funds

(j) Any other vital characteristics

6. Whether the L.S. Provision is in accordance with C.E. Genl. Circular No. F4/7071/79-5, dated 10-11-1979.

7. Whether provision for L.I. & L.A. charges is shown separate as lumpsum as per GO. Ms. No. 1624 P.W, (Y) Dept., dated 29-11-1969.

8. Whether provision for P.S. and contingencies is in accordance with G.O. Ms. No. 385, dated 25-10-1979.
9. Whether the rates for earth work by machinery, and gates, hoists, etc., are based on sub-estimates prepared by the Mechanical Organisation
  - (a) In case of embankments whether provision for consolidation by power roller is invariably made.
10. Proposed date of commencement of work
11. Proposed date of completion of work

*Chief Engineer*

**155.** As a rule, no tender for the execution of works of any description should be received unless accompanied by a treasury chalan for earnest money to the extent which has been notified as necessary in the tender notice. The earnest money is the guarantee of the tenderer to deposit the requisite security and to enter into the required agreement on intimation of the acceptance of his tender. It is forfeited in case of default — vide Form of tender notice and tender (PWD, Form Nos. V—53(a) and 53(b).

**156.** In selecting the tender to be accepted, the financial status of the tenderers, their capability, the security offered by them or the record of their execution of any works previously, should be taken into consideration. Other conditions being equal, the lowest tender should be accepted. In cases where a tender other than the lowest is accepted, a confidential record should be kept of the reasons for doing so. Specific data with reference to the financial solvency, income-tax paid, the ability of the contractor to execute the work, security offered by him, the names of at least some works executed formally by the contractor, amount involved therein and the conduct and performance of the contractor during the execution of work should be given. This information should be furnished not only in respect of the tenderer whose tender has been accepted but also of the tenderers whose tender has been rejected. The relative merits of the various contractors concerned should be discussed and cogent reasons should be given while rejecting lower tenders, if they are to be rejected. This confidential record should be shown to the Inspecting Officer of the Audit department, if required.

In addition, in cases where it is proposed to accept a tender other than the lowest, the authority competent to accept the tender should, immediately after accepting it, make a report to indicating the reasons for accepting a higher tender to the next higher authority, who shall scrutinise the report carefully and call for more details if necessary. The Superintending Engineer or Executive Engineer as the case may be, should bring to the notices of the higher authorities cases in which the rule about the acceptance of the lowest tender has been departed from without sufficient justification.

The acceptance or rejection of tenders is, however, left entirely to the discretion of the officer to whom the duty is entrusted and no tenderer can demand the cause of rejection of his offer.]

(Subs. by G.O.Ms.No. 773, PWD, Dt. 5—6—1971)

#### **IV. Forms of security for performance of contracts**

**157.** The forms of security to be taken in the case of piece work contracts is laid down in the conditions printed in P.W.D., Form No. V—51.

The forms of security to be taken in the case of contracts based on the lump-sum

tender system, as defined in the Andhra Pradesh Detailed Standard Specifications, are given in the forms of tender notice and Articles of Agreement connected therewith (PWD, Forms Nos. V-53 (a) and 53).

1. Crossed Demand Drafts may be accepted as Earnest Money Deposit. Demand Drafts of successful tenderers only should be accounted for in the regular cash book. The register of tenders serves as a subsidiary cash book till the tenders are settled.

(G.O.Ms.No. 107, PWD., Dt. 25-1-1968)

2. National Defence Certificates may be accepted as standing Earnest Money of Rs, 50,000/-.

3. Fixed Deposit Receipts of Scheduled Banks should not be accepted as security.

(G.O.Ms.No. 954, PWD, Dt. 17-6-1969)

4. Guarantee Bonds of Scheduled Banks may be accepted as security deposits subject to the following conditions:—

(a) Guarantee to be accepted for amounts in excess of Rs. 10,000.

(b) Guarantee Bonds not to be accepted for retention amounts.

(G.O.Ms.No. 125, PWD, Dt. 11-5-1970)

### Government Instructions

In respect of contractors who have deposited L.S. Deposit of Rs. 50,000/- with each Chief Engineer the E.M.D. and F.S.D. to be recovered is as follows

EMD for K2 and L.S. Contract	Retention amount from Bills	
At 1% subject to a maximum of Rs.75,000	(i) For works done upto first Rs. 50 lakhs,	3 ½ %
	(ii) For works done over Rs. 50 lakhs and upto Rs. 1 Crore	First Rs. 50 lakhs 3 ½ % over Rs.50 lakhs 2%
	(iii) Work done over Rs. 1 Crore	First Rs. 50 lakhs 3 ½ % Over Rs. 50 lakhs 2% Over Rs. 1 Crore 1 ½ %.

**Note** :—(1) The L.S. Deposit of Rs.50 thousand is to be furnished either in cash or in the form of Bank guarantee with each Chief Engineer separately.

(2) The concessional rates of retention amount in the case of L.S. deposit holders can be extended to running contracts entered into prior to the L.S. Deposit.

(G.O.Ms.No. 1001, Dt. 26-7-1971)

For the purpose of forfeiture, security deposit will be reckoned at the normal rates assuming that there is no standing security and not at concessional rates.

(G.O.Ms.No. 302, PWD, Dt. 6-4-1973)

In respect of contractors who have not made L.S. Deposits the E.M.D. and F.S.D., is to be recovered as follows

	<b>E.M.D.</b>	<b>Retention Amount</b>
K2	1 ½ percent	3 ½ per cent till the value of work done is 66 2/3 times the value of E.M.D. and 5 per cent thereafter.
L.S.	1 ½ per cent subject to a margin of Rs. one lakh.	7 ½ per cent.

In addition to E.M.D., 2 ½ of the total value of the work done should be with held at the time of payment of final bills to contractor in respect of L.S. Contractor.

(G.O.Ms.No. 870, PWD, Dt. 23-5-1969)

In respect of works entrusted to unemployed Engineers 1 ½ per cent is to be withheld from the final bills of L.S. Contract.

(G.O.Ms.No. 585, Codification 72-14, Dt. 8-11-1973)

#### **IV. Custody of Accepted Tenders and other Contract Documents — Authority competent to give certified copies of Tenders and Agreements**

**158.** Originals of tenders, comparative statements of tender agreements and all other relevant or connected documents such as confidential records of Divisional Office showing the reasons for the acceptance of tenders other than the lowest etc., for execution of works approved by the Executive Engineer of a Division or by higher authorities should be kept in the personal custody of the Accountant of the Division Office. He should maintain a careful check of all original tenders and agreements that are put up for reference in connection with audit of bills, etc., or sent to Sub-divisional Officers. When copies of such tenders and agreements are issued to Sub-divisional Officers or Contractors, the Executive Engineer should see that the copies are correctly transcribed from the original and should sign them himself. Similarly, originals of the tenders and the agreements approved by Sub-divisional officers should be kept in their personal custody and they are responsible for their safe preservation. Copies made for submission to the Executive Engineer or for issue to contractors should be signed by the Sub-Divisional Officer.

At the time of transfer or change, a written statement of original tenders and agreements handed over and taken over should be made out and signed by the relieved and the relieving accountants or Sub-divisional officers as the case may be.

**Note** :— Contract documents should contain no erasures. They should as far as possible be free from corrections except those which are inevitable, such as striking out irrelevant preamble clauses in the standard printed form of a L.S. contract or striking out irrelevant words in a K-2 contract, such as SDO/Executive Engineer or other minor corrections in descriptions or rates, the corrections should be initialled by both parties to the contract and each initial dated. Where additional items are incorporated in a contract, at a subsequent date they should be drawn up as a separate memorandum, and signed by both parties to the contract, and fixed as an annexure to a contract. There may be any number of Annexures to a contract but they should be serially numbered in a chronological order and an index of these entered in a blank page of the main contract under the initials of both the parties.

#### **Executive Instruction**

The confidential record outlining the reasons for acceptance of a tender other than the lowest should be in the Custody of the Divisional Accountant. Certified extracts of the

record in cases of acceptance of tenders by Superintending Engineer or Chief Engineer would be sufficient for purpose of audit. (Govt. Lr.No.699—Y/66—I, PWD, Dt.17-5-1966)

## **VI. Officers Empowered to Execute Contracts and Rules on Contracts**

**159.** No authority lower than the officer in charge of a sub-division can accept any tender or make a contract for public works. The officers legally empowered to execute on behalf of the Governor of Andhra Pradesh, the different classes of deeds, contracts and other instruments are detailed in Appendix III. This power is, however, in each case subject to the departmental rules laying down the powers of officers to enter into contracts.

### **Executive Instructions under Para 159**

#### **Collection of EMD from contractors for works let out on nomination**

(1) Earnest Money Deposit should be collected even in respect of nomination contracts as in the case of K-2 contracts, but when this is not done, in cases where 2 ½ % is not collected in advance, deductions must be made from each bill at 5 per cent, and

(2) These orders does not apply to job works for Rs.500 and less and for works entrusted to special agencies of execution like Bharat Sevak Samaj, Labour Contract Co-operatives etc.

(G.O.Ms.No. 2215, PWD, Dt. 21-10-1965)

As per Para 459 of APP WA Code the EMD can be refunded only after the final bill is paid. In G.O.Ms.No. 154, PWD, Dt. 23-6-1966, the Government have clarified that where the final bill is not paid within six months period of observation, the security deposit withheld from the final bill should be retained for the six months period of observation and refunded after the expiry of this period (not before this period) with the specific permission of the Chief Engineer).

(G.O.Ms.No.1926, PWD, Dt. 2-8-1 965)

(3) The S.E. is competent to execute contracts and piece work agreements upto the limit of tenders accepted by the competent authority regardless of whether they were accepted by C.E. or Government and irrespective of the restrictions imposed on the powers of S.E. in the matter of acceptance of tenders, Hence the C.E. does not execute contracts even if the tenders are accepted by Government].

[G.O.Ms.No. 2209, PWD, Dt. 24-9-1965 and Govt.PWD, Lr.No.120-Y/64-4, Dt. 28-10-1965]

**160.** An officer empowered to enter into contracts may, after the estimate has been duly sanctioned, give out to different contractors a number of contracts relating to one work, even though the estimated cost of the work may exceed the amount up to which he is empowered to accept tenders, provided there are no special orders to the contrary, and the amount of each contract is within the limit of the officer's power to accept tenders, But no contract may be entered into with any individual contractor in excess of this limit nor may a second contract be entered into with a contractor, who has already received a contract in connection with the same work; which is still in force, if the sum of the contracts exceeds the power of acceptance of tenders of the authority concerned.

**Note** :—The restrictions in the second sentence of this Paragraph do not apply to sub-works in irrigation maintenance scheme estimates provided the sub-works are independent works unconnected with each other.

**161.** The following rules must be carefully noted :—

(1) No officer may enter into a contract into which he is not empowered to enter under the provisions of Paragraph 159 and Appendix III to this Code.

(2) The limitations defined in a Paragraph 415(v), 416(iv), 422, 431 or 436(d) shall not be exceeded.

(3) No authority may accept any contract for a work until an assurance has been received from the authority competent to provide funds for the same, that such funds will be allotted before the liability matures — vide the last sentence of Paragraph 173.

(4) On no account should rates in excess of those provided in the agreement be paid, as the payment of such rates which are not due would nullify the contract.

(5) Duplication of agreements should in no case be required, that is to say, an authority who has concluded an agreement should not be required to thaw up and sign again an agreement already executed — vide also Rule 2 under Paragraph 95, A.P. Public Works Accounts Code.

(6) No authority subordinate to the Local Government may waive the provisions of the stores purchase rules in Appendix 15 to the A.P. Financial and Account Code (Volume II).

## **G — SALE, ACQUISITION AND LEASE OF LAND**

### **I. Sale of Government Land and Immovable Property**

**162.** All land, the property of Government, should ordinarily be sold through the Revenue Department.

**163.** The sale of land or buildings with the site on which they stand is generally left to the Collector of the district, but it is at the same time open to the Public Works Department to apply for permission to sell land, etc., themselves when they see cause to recommend such a measure.

**164.** Collectors have powers to sell buildings with their sites and attached lands if the combined value does not exceed Rs. 5,000. The Board of Revenue exercise similar powers up to a limit not exceeding Rs. 10,000. The sanction of Government is necessary, when the value exceeds Rs. 10,000.

*Note* — Lands in charge of the Public Works Department which are no longer required by the department for some administrative purpose or for some sanctioned scheme, which has to be executed in the near future, should be handed over to the Collector of the district.

**165.** When any immovable public property is made over to a local authority for public, religious, educational or any other purposes, the grant should be made expressly on the conditions, in addition to any others that may be settled, that the property shall be liable to be resumed by Government if used for other than the specific purposes for which it is granted and that, should the property be at any time resumed by Government, the compensation payable therefor shall in no case exceed the amount (if any) paid to Government for the grant, together with the cost or their present value whichever may be less, of any buildings erected or other works executed on the land by the local authority.

### **II. Acquisition of Land**

#### **(a) General**

**166.** When land which is not already in the possession of the Government is permanently required for the purposes of the Government it should be acquired through the agency of the Land Acquisition Act (Act I of 1894), which alone can confer an indefeasible

title. The officer concerned should, in the first instance, consult the Revenue Divisional Officer and obtain from him the fullest possible information as to the probable cost of the land per acre or otherwise, together with the value of buildings etc., situated on the property, for which compensation will have to be paid, and a draft notification under Section 4(1) of the Land Acquisition Act. Upon the information thus obtained, an estimate should be framed by the Public Works Officer and submitted for sanction. The draft notification should be submitted with the estimate for the approval of Government and published in the Andhra Pradesh Gazette,

In cases in which the owner of a land about to be acquired is willing to make a free gift of the land required, a deed of gift should not be executed in favour of Government, but the procedure prescribed by the Land Acquisition Act should be followed and an award should be passed under Section 11 of the Act for the full market value of the land and not for a nominal amount. The owner who is willing to make a free gift of the land should receive the compensation awarded and may make a gift of the amount of the compensation to Government to be utilized for the public purpose for which the land is acquired.

There is, however, no objection to local officers negotiating with the owners of land with the object of coming to an amicable agreement with them as to the price to be paid previous to the intimation of the proceedings under the Land Acquisition Act, with a view to guard against subsequent exorbitant demands or awards, provided that this procedure will result in economy. Any settlement thus arrived at should immediately be communicated to the Land Acquisition Officer. The settlement must take the form of an agreement that the owner is willing to sell for a certain specific sum plus 15 per cent of that sum for compensation, the total of two sums being the actual price agreed on.

**167.** In cases of urgency acquisition should be made under Section 17 of the Act; possession is then obtainable fifteen days after publication of notice under Section 9(1) of the Land Acquisition Act. When possession has once been taken under Section 16 or 17 of the Act, Government cannot withdraw from its acquisition, therefore, when the claim is in large excess of the award possession should not be taken without a reference to the authority sanctioning the work.

**168.** When sanction to an estimate framed as above directed has been obtained and when the draft notification referred to in Paragraph 166 has been published, the Executive Engineer should make over the matter to the Revenue Divisional Officer who will take the necessary steps for the acquisition and transfer of the land, subject to instructions which he may receive from Revenue authorities to whom he is subordinate. These instructions provide that if the estimate originally framed and sanctioned is likely, when the land comes to be acquired, to be materially exceeded, the Revenue Officer making the award should give sufficient notice to the Public Works Officer and should take into consideration any representation which such officers may make, whether it is made orally or by letter.

More especially he would, before making the award, allow such officer an opportunity of appearing in person or by agent and producing evidence as to the value of the land. When such a reference is made, the Public Works Officer should, if it is found impossible to obtain the land required without materially exceeding the estimate, or to obtain some other plot of land in lieu of that originally proposed, submit a revised estimate for sanction. When possession has once been taken under Section 16 or 17 of the Act, Government cannot withdraw from the acquisition of the land. In cases, therefore, where the amount claimed in pursuance of a notice under the Act largely in excess of the amount subsequently

awarded by the Collector, and the acquisition of the land is not absolutely necessary, possession should not be taken without a reference to the authority sanctioning the work until the time within which an application for a reference to the Court must be made under Section 18 of the Act has elapsed without such application being made.

**169.** The arrangements between the officers of the department and the Revenue Officers to determine as to which land should be taken up should, where practicable, be made without divulging the intentions of the Government in order to prevent the prices being put up and to render private bargaining possible.

**170.** After the preliminary arrangements described in the preceding Paragraphs have been duly carried out, the land will be taken up under the Act either by the Collector or by a Special Officer, placed at the disposal of the Public Works Department and invested with the powers of a Collector under the Act. The procedure in two cases is described in the Civil Account Code, Volume I, Appendix 7.

### **(b) Land held for Military Purposes**

**171.** No land, whether—

- (a) within cantonment limits,
- (b) forming part of an encamping ground, or
- (c) otherwise held for military purposes,

should be taken up or occupied for any purposes whatever, either by contractors or any other persons (official or non-official) acting under the orders of any Civil Department of the State, until the sanction of the Government of India in the Defence Department to the occupation or use of the land has first been obtained and communicated to the General Officer Commanding the Division or Independent Brigade. In all such cases, the sanction of the Government of India should be obtained by the General Officer Commanding the Division or Independent Brigade through the Quarter-master-General in India.

Application for such land when within cantonment limits should be made by the officer in charge of the works to the cantonment authority and by the latter to the superior military authority, but in the case of military encamping ground application should be made to the General Officer Commanding the Division or Independent Brigade. The Military authorities will then take the necessary steps to obtain (i) the opinion of the State Government, which should invariably be recorded upon all applications, and (ii) the sanction of the Government of India to the occupation of the required land. The foregoing procedure will apply in cases where it is proposed to purchase, or otherwise acquire permanently, any building situated on military land for the use of a Civil Department.

### **III. Lease of Lands in charge of the Public Works Department**

**172.** (i) Lands in charge of the Public Works Department are of two kinds—

(1) Lands acquired by the Public Works Department for the construction of buildings but not immediately used for the purpose, and

(2) Lands in charge of Public Works Department for administrative purposes, e.g., land in berms of canals, drains, channels, etc., and at wharfs.

(ii) The procedure of grant under the Crown Grants Act should be adopted for grants of these lands for temporary occupation for agriculture and non-agriculture purposes.

Grants for such occupation may be made in favour of individuals, private bodies, companies or associations and local bodies.

(iii) The grants will be made in consultation with the Revenue Department where necessary. Rent should be collected departmentally in the case of grants.

(iv) The period for which temporary occupation of the lands in charge of the Public Works Department may be sanctioned, must be determined carefully in each case with reference to the nature of the property and the consideration whether the property is likely to be required by Government for any other purpose.

(v) The grant in each case, after sanction by competent authority, should be embodied in an order in the form given in Appendix XIII—B in the case of grants for agricultural purposes and in Appendix XIII—C in the case of grants for non-agricultural purposes, with suitable modifications, where necessary, by the Executive Engineer concerned, as the assigning authority and delivered to the party. The items enumerated below by way of illustration will be cases for such grants for non-agricultural purposes:—

(a) Recreation purposes with or without a pavilion or club house.

(b) Bridges and culverts, whether permanent or temporary.

(c) Banks (for trade purposes).

(d) Timber and firewood depots.

(e) Laying pipe lines.

(f) Unobjectionable sub-soil encroachments on road margins and other Government porambokes.

(g) Temporary occupation of Government land for performances by a touring cinema, circus or dramatic company.

The items enumerated below will be cases for grants for agricultural purposes:—

(a) Growing or grass or other fodder.

(b) Raising flower gardens.

(c) Planting casuarina.

(d) Cultivation of plantation products.

(e) Cultivation of paddy, pulses and other food grains or commercial crops like tobacco, cashew, groundnuts, etc.

(vi) These grants need not be registered — vide Section 90(1)(d) of the Indian Registration Act, The orders embodying such grants are also not liable to stamp duty — vide item 4 of Notification No. 13, dated the 17th December, 1938.

(vii) The orders of Government must be obtained in every case of grant in which the value of the property exceeds Rs. 30,000. The Chief Engineer may sanction grants in all cases in which the value of the property exceeds Rs. 15,000 but does not exceed Rs. 30,000 upto a period of five years. The Superintending Engineers may sanction grants in cases in which the value of property exceed Rs. 3,000 but does not exceed Rs. 15,000 upto a period of five years, subject to any administrative instructions issued by the Chief Engineer. Similarly, the Executive Engineers may sanction grants in cases in which the value of the

property is Rs. 3,000 or less upto a period of three years, subject to any administrative instructions issued by the Superintending Engineer or higher authority.

(viii) In all these grants, the period of notice to be given under Condition 21 in Appendix XIII-B or Condition 19 in Appendix XIII—C by the assigning authority or by the grantee should be fixed carefully with reference to all the relevant circumstances and specified in the order. This period should not exceed the period of grant and subject to this, may normally be one month for periods of grants upto three months; two months, for periods of grants upto six months; three months, for periods of grants upto a year; and six months for longer period of grants.

(ix) When it is proposed to grant to a club land within the compound of a Government office or a residence, the site as well as the plans and estimates relating to any buildings, structures, badminton or tennis courts, etc., which the club proposes to erect should be approved by the Executive Engineer in order to ensure that such buildings, structures, or courts, etc., are in keeping with the layout of the Government buildings. Copies of the plans of the site, buildings, etc., as approved by the Executive Engineer should be submitted with the proposals for the grant. It should be made clear in the order of the grant that the grant will be recoverable at 24 hours notice.

(x) Renewal of grants can be sanctioned only by the authority competent to sanction the grant in the first instance.

(xi) No attempt can be made to prescribe standard rates for the various purposes for which land may be granted. The determination of the charge is therefore left to the discretion of the authorities who are competent to sanction the grant. The following general principles should, however, be observed in fixing the rates of charge as far as possible:—

(a) **Recreation purposes:**—In the case of clubs consisting entirely of non-gazetted officers and of playgrounds required for educational institutions, nominal charges may be levied. In other cases except in municipalities and in the City of Hyderabad the terrain assessment or ground-rent on the site, or, if the land has not been assessed, the land revenue that is being levied on similar ryotwari land in the village or its neighbourhood should be charged. Special reasons should be given if any concessional treatment is recommended. Subject to the general concession indicated in favour of non-gazetted officers and educational institutions, a suitable charge should be levied in respect of each grant in municipalities and in Hyderabad city.

(b) **Trade purposes:**—The full competitive rent should be levied as the charge for the occupation. By full competitive rent is meant the rent which the site would fetch in the open market if offered subject to the conditions stipulated by Government.

(c) **Touring cinemas, circuses or dramatic companies:**—A reasonable fixed daily charge should be levied in accordance with the rates to be prescribed by the Collector. Collectors should fix for each village and town in their districts the rate of charge per square yard or ground or cent that should be levied. The rates will depend upon the importance of the village or town and situation of the land. There are, in each villages or town particular sites in which entertainments are usually held. The Collector will fix the rates for each of these sites. When other sites are applied for, the Collector should be addressed for orders as to the rate to be levied.

(d) **Laying of pipe lines:**—A track rent should be levied on the scales specified below

**TABLE**

	<i>Rate</i>	<i>Minimum Rs.</i>
Major Municipalities	Rs.70 per K.M. or 7 paise per metre	3
Minor Municipalities	Rs.50 per K.M. or 5 paise per metre	2
Other towns	Rs.35 per K.M. or 3 ½ paise per metre	1
Rural areas	Rs.35 per KM. or 2 ½ paise per metre	1

In Hyderabad city, however, track rent, should be levied at the rate of Rs. 300 per kilometre, except in cases of renewal of existing grants for which the old rates of Rs. 250 or Rs. 300 per kilometre as the case may be should be charged [172(d) newly substituted].

**(c) Occupation of lands for unremunerative public or private purposes**

The annual charge should be fixed at an amount not lower than the assessment or ground- rent leviable on the land, subject to a minimum of Re. 1.

**Municipal taxes:**—In Hyderabad city and in mufassal municipalities, the charge for occupation will consist of two parts; the first part will be a specified sum fixed with reference to the instructions in sub-Paragraph (i) above, while the second part will consist of another specified sum to be levied on account of the municipal taxes payable by the Government in respect of the property covered by the grant. In the event of the Corporation or the municipality concerned varying its demand, the right to revise the second part of the charge and to collect any further sum due as result of such revision should be reserved in the order of grant. The two parts of the charge will be payable by the grantee simultaneously either in a lump sum or in instalments as may be specified in the order of grant.

**Levy assessment and water-cess :**—The annual charge for the occupation shall be the assessment fixed already in the case of assessed land. If it is not an assessed land, it shall bear the same assessment as is borne by similar land in the vicinity. Such assessment shall be liable to revision from time to time in accordance with the rules in force at the time of such provision. Water-cess will be leviable in addition in accordance with the Andhra Pradesh (Andhra Area) Irrigation Cess Act (Act VII of 1865) and the rules framed thereunder.

(xii) Any modifications in the form of grant should be made in consultation with the local Government pleader.

(xiii) Immediately the grants are sanctioned, the period of grant and the rent to be recovered should be noted in the Miscellaneous Property Register maintained by the Sub- divisional Officer in all cases.

**H - EXECUTION OF WORKS**

**I. Starting Works**

**173.** It is a fundamental rule that no work shall be begun unless a properly detailed design and estimate have been sanctioned, allotment of funds made, and orders to begin issued by competent authority. Provision in the budget conveys no authority for outlay. The exceptions are petty works (see Paragraph 108), repairs of the nature described in

Paragraphs 1 10(u) and 147 and cases of real emergency which must be reported immediately to the authorities competent to accord administrative approval and technical sanction. Similarly, the sanction of a design and estimate by any authority, whatever, conveys no permission to start expenditure unless funds have been provided for the expenditure by a competent authority.

Further, no liability may be incurred, and no officer may accept a contract for and work, until an assurance has been received from the authority competent to provide funds that such funds will be allotted before the liability matures.

**Note** :— The officers in charge of divisions in Agency tracts shall have powers to grant bonuses to gang mazdoors who complete a certain work entrusted to them within a fixed time upto a limit of Rs.50 or 5 percent of the total wages ordinarily paid to them for that work, whichever is less.

**174.** Ordinarily no work executed by method (ii) or method (iii) described in Paragraph 150 should be started without a formal agreement or contract sanctioned by a competent authority. The procedure to be followed in emergent works is described in Paragraph 178.

**175.** No formal agreement is necessary in regard to petty works and repairs, the estimated cost of which is Rs. 1,000 or less, but even in these cases there should be some written understanding—though not in any prescribed form—specifying prices and rates.

**Note (1)** :- In the Agency tracts, payment may be made to piece-workers on first and final bills costing Rs. 500 and less without regular agreement being entered into, even though the total value of the work done or supply made by each piece-worker in connection with a work may exceed Rs. 1,000/- when the first and final payment to the piece-worker or supplier does not exceed Rs. 200/-, even a written understanding will not be insisted on. In divisions not in the Agency tracts, no formal agreements are necessary in cases involving ‘first and final’ payments which do not exceed Rs. 200/-. But, some written understanding specifying prices and rates will still be necessary, except in cases when the “first and final” payments do not exceed Rs. 50/-.

**Note (2)** :— Rates and taxes and watchmen’s wages provided for in annual maintenance estimates should be excluded from the total amount of estimates for the purpose of deciding whether an agreement should be taken in the case of repair estimates for buildings.

**176.** (a) When a contractor refuses to execute work at the rates provided in his piece-work agreement, then, the agreement should be terminated and the work measured up and paid for at the rates in the sanctioned agreement enforcing or not as the case may be, the forfeiture of the security deposit. The work should not then be given out at higher rates, unless open tenders have been called for and the most favourable rates obtained.

**Note** :— If, however, it is found necessary in any case to give out the balance of work at higher rates to another contractor without calling for open tenders, whether on account of urgency or any other reason, the previous approval of the next higher authority above that which accepted the original cancelled agreement should be obtained.

(b) Revision of rates in accepted agreements of any kind, during the currency of such agreements is normally prohibited. In cases, however, where the Executive Engineer considers there are sufficient reasons to revise rates in current agreements, then the sanction of the authority above that which accepted the agreements should be obtained, placing on record with the agreement the reasons for such revision and effect of the same on the total amount of work to be done under the concerned items and on the total amount of the work

to be done under the agreement. Whenever revised rates in any agreement are sanctioned, the increased rates will have effect only from the date of sanction of such revised rates, unless it is specially started by the sanctioning authority that they should have retrospective effect.

**Revision of rates in current agreements — provision under  
Para 176(b) — Clarification**

Para 176(b) lays down that revision of rates in accepted agreements of any kind during the currency of such agreements is normally prohibited. However, in cases where the Executive Engineer considers that there are sufficient reasons to revise rate in current agreements, sanction of the authority above that which accepted the agreement should be obtained placing on record along with the agreement the reasons for such revision and the effect of the same on the total amount of the work to be done under the concerned items and on the total amount of the work to be done under the agreement.

It may happen that an agreement is entered into by a Superintending Engineer after the tender is accepted by the Government. A point has been raised whether in such cases, it would be correct if the Chief Engineer being the authority next higher to the Superintending Engineer who entered into the agreement, revises the rate in the current agreement in items of Para 176(b) of the 'D' Code.

The Government have examined the issue. It is clarified that any modification of the rates should be approved by the authority higher than that which originally accepted the rates. If the tender is accepted by the Government, modification of rates should be done only with the prior approval of the Government. Modification of the rates by the competent authority should be with the concurrence of the contractor, who is the other party to the agreement.

The Government also direct that the power of departmental officers to revise rates should be limited to rectification of bonafide mistakes or errors in original agreement such as electrical or typographic or typographical errors.

(Memo.No. 261-Y/72-3, P.W.D., Dt. 21-7-1972)

(c) In all cases, as in (a) and (b), it must be observed that the Code rules governing such estimates revisions as may be involved, are complied with.

(d) The corrections in agreements should be attested under dated initials by the accepting authority also, not only to indicate his acceptance of the altered rates, but also to prevent any tempering with agreements after approval.

(e) In all cases in which work not covered by the original agreement is ordered the rates for such items of work should be settled as laid down in clause 7 of the conditions printed in the form of piece-work agreement or clause 63 of the Preliminary Specification of the A.P. Detailed Standard Specifications. Such extra items of work should not be ordered by the Executive Engineer on his own responsibility, if the revised estimate or deviation statement providing for them requires the sanction of a higher authority.

Supplemental rates should be deducted in the following manner

For items directly deductible from similar items the rate should be arrived at by adding or subtracting the cost of cement or steel, etc.

For new items which do not correspond to any item in the agreement the new rate is the estimated rate plus or minus the overall tender percentage.

[Govt. Memo.No. 25—Y164—6, P.W. (Y), Dt. 29—6—1966]

(f) In respect of fines or forfeiture of deposit ordered by an authority with reference to the relevant conditions in the forms of agreement or relevant clauses of the Preliminary Specification to the A.P. Detailed Standard Specifications in an agreement use in the Public Works Department, any authority higher than the one who has ordered the fine or forfeiture may in his absolute discretion waive or modify the fine or forfeiture imposed by a lower authority.

**177.** (a) If in any case, whether on grounds of urgency or otherwise, an executive officer is required to carry out a work for which no estimates have been sanctioned or for which no financial provision exists (whether estimates have been sanctioned or not) the orders of the officer authorizing the work should be conveyed in writing. On receipt of such written orders the officer who is directed to carry out the work should immediately intimate to the audit officer concerned that he is incurring a liability for which there is no provision or inadequate provision of funds and should, at the same time, state approximately the amount of liability which it is likely he will incur by compliance with the written orders which he has received. The Audit Officer will then be responsible for bringing the facts instantly to the notice of the Chief Engineer concerned, except the irregularities committed by a Chief Engineer himself, which should be reported direct to the Government. The Chief Engineer will report to Government any cases that call for disciplinary action or failure to comply with the Code. The Accountant General should also report to Government any cases in which he considers the action taken by the Chief Engineer inadequate. There will be no hesitation on the part of Government in forcing disciplinary action against any officer—administrative or executive—who may fail, or delay to comply with these orders.

(b) A provision of 1 per cent shall, be made towards audit charges in the estimates for irrigation projects for which capital and Revenue accounts are maintained.

**Note 1** :—The provisions of above Paragraph will be relaxed in the case of the famine relief works, but this does not relieve officers from the responsibility of obtaining the necessary sanction to a revised estimate and additional appropriation as soon as they can foresee how far an estimate is likely to be exceeded.

**Note 2** :—The report to be sent to the Audit Officer, with reference to the above Paragraph, should be prepared in the form indicated below

**TABLE**

Nature of emergency	Date of occurrence	Details of damage & works proposed to be carried out	Approximate cost involved to carry out repairs	Date on which work is commenced	Remarks

(G.O.Ms.No. 561, PWD, Dt. 3—4—1965)

**178.** If, in the case of a work executed on the contract or piecework system, the circumstances are so emergent that it is impossible to enter into a formal contract or

agreement, the officer on the spot who starts the work should enter into a piece—work agreement atleast in the first instance. This form of agreement is particularly suitable as it is terminable in case the higher authorities, who are competent to sanction the proper agreement in the standard form, disapprove. When the circumstances are so emergent that even a piece work agreement cannot be signed, it will be sufficient to have a written order for the work signed both by the piece worker or the contractor and the officer on the spot. There should, however, be no avoidable delay in preparing a proper estimate and an agreement in the standard form and in obtaining the sanction of the competent authority. The detailed procedure to be followed in such cases is indicated in Appendix XI to this Code.

**179.** When any new building is about to be commenced, or any alteration, addition or repairs executed to any building, due intimation of such intention shall be given to the local head of the department, military, or civil, concerned.

**180.** Except in case of emergent work such as repair to breaches, etc., no work should be started on land which has not been duly made over by the responsible civil officers.

**181.** The rules in this section regarding the existence of a sanctioned estimate and the allotment of funds in the budget are applicable even in the case of civil works in charge of civil officers acting as Public Works disbursers. When an estimate has been sanctioned and funds have been allotted, a civil officer may arrange for the execution of the work.

Works executed by civil officers acting as Public Works disbursers are generally likely to be of a petty nature and constructed on standard designs. Civil officers may, however, apply to the Superintending Engineer of the circle to depute an officer to examine any work when in progress or when completed and to make a general report as to whether the work is being satisfactorily carried out or has been completed in accordance with the estimate.

## **II. Scope of Sanction**

**182.** The sanction to an estimate must on all occasions be looked upon as strictly limited to the precise objects for which the estimate was intended to provide. Accordingly, any anticipated or actual savings on a sanctioned estimate or a definite work should not, without special authority, be applied to carry out additional work not contemplated in the original project or fairly contingent on its actual execution.

Savings due to the abandonment of a substantial section of any project sanctioned by any authority are not to be considered as available for work on other sanctions without the further sanction of that authority.

A substantial section of a project shall be considered to have been abandoned, if the estimated cost of the work in such section is not less than 5 per cent of the total sanctioned cost of the project, excluding in the case of irrigation project, the estimated cost of the headworks as originally approved.

## **III. Commencement of Work in anticipation of Detailed Estimates of the complete Project**

**183.** In exceptional cases where it is desirable to begin work on a project which has been administratively approved, before the detailed estimate for the whole project has been prepared, it is permissible for the authority competent to sanction the final technical estimates

as a whole to accord sanction to detailed estimates for component parts of the project subject to the following conditions

(1) For each such work or component part there must be a fully prepared detailed estimate and, in the administrative approval as a whole, there must be a clear and specific amount corresponding to the work or component part in question.

(2) The amount of the detailed estimate must not exceed the amount included in the administrative approval by more than 10 per cent.

(3) The sanctioning authority must be satisfied, before according sanction, that the amount of the technical sanction for the whole project is not likely to exceed the amount of the administrative approval and that the work of component part in question can be appropriately commenced without effecting, or being effected by, any other part of the project financially or otherwise.

**Note** :—This rule does not apply to estimates for parts or individual buildings unless the preliminary estimates for administrative approval have been similarly prepared.

**184.** To obviate delay in commencing work on a detailed estimate for a complete project which has been prepared and submitted for technical sanction, but which requires minor amendments in the design or estimate, the sanctioning authority should adopt one or other of the following courses:—

(1) Amend the design or estimate in his own office and sanction it, or

(2) Sanction the parts of the estimate which are approved, subject to conditions (2) and (3) specified in Paragraph 183 and call for amended details estimates for the other portions of the project.

**185.** In communicating the sanctions to parts of projects accorded under the provisions of Paragraphs 183 and 184 the sanctioning authority should also intimate to the Audit Officer the amount administratively approved for the whole Project.

[**Note** :—Copies of abstract of estimates or administrative approval containing details of break up by sub-heads or component items in respect of all projects or civil works costing Rs. 25 lakhs or more shall be communicated to the Accountant-General].

(Vide Memo B. series No. 15, PWD, Dt. 3—4—1969)

#### IV. Lapse of Sanction

**186.** The approval or sanction to an estimate for any public work other than annual repairs will, unless such work has been commenced, cease to operate after a period of five years from the date upon which it was accorded.

#### V. Alterations in Design during Construction

**187.** Where important structural alterations are contemplated, though not necessarily involving an increased outlay, orders of the original sanctioning authority should be obtained. A revised estimate should be submitted for technical sanction should the alterations involve any substantial change in the cost of the work.

**188.** No alterations or additions to an estimate sanctioned by the Government of India or the President involving expenditure beyond the powers of sanction of the State Government, should be made without the previous approval of the Government of India. When, however, in any case matter is of extreme urgency, the local authority may act in

anticipation of sanction, provided a full report of the circumstances is made to the Government of India without delay.

## VI. Miscellaneous Rules for the Execution of Works

**189.** In the execution of works, every care should be taken that the safety and convenience of the public are duly attended to, and that all operations are carried on in such a manner as to interfere as little as possible with the traffic or ordinary pursuits of the people. Temporary roads, bridges, lights and barriers should, when necessary be, provided; and the occupation of land, when practicable, be so timed as not to lead to the destruction of standing crops. Bricks and lime—kilns should not be erected so close to the inhabited part of any town or cantonments as to be a nuisance.

**190.** Any reasonable outlay for temporary accommodation for work people, and for entertaining temporary establishment for the purpose of security, sanction, or temporary hospitals, may be authorised as part of the contingent outlay on works.

**191.** No religious edifice should be destroyed or injured in the execution of works without the full and free consent of the persons interested in it, nor without the concurrence of the principal, civil or political authority on the spot, unless under the orders of Government — see also Paragraph 248,

**192.** All interruptions of large works in progress should be immediately reported to the Superintending Engineer, the causes and probable duration of such interruptions being duly explained.

**193.** All unusual losses in the manufacture of materials must, on their occurrence, be reported to the Superintending Engineer.

**194.** Executive Engineers and other officers or subordinates in charge of works should furnish immediate information to the proper civil authorities on the occasion of every serious accident; and in the case of death on the spot, they should not allow the body to be removed till an inquiry has been held — see also Paragraph 29 of this Code and Paragraph 72—A of A.P. Financial and Accounts Code, Volume I.

**195.** The employment of female labourers on works in the neighbourhood of soldier's barracks or a jail should be avoided as far as possible.

## VII. Water—supply to Government Buildings

**196.** (a) The connection to the water main in the street and the pipe leading therefrom to the building together with the stopcock, metre and a sufficient length of pipe to lead the water through the outer wall of the building to the interior thereof should be laid and constructed entirely by municipal agency at the cost of the Government. The point at which the supply is to be taken into the building and the place where the metre-house box or cupboard should be constructed, should be determined by the local Public Works Department officers subject to the approval of the Municipal Chairman. All works within the house should be carried out by the Public Works Department.

*Note* :— In cases where the bye-laws relating to water-supply in a municipality stipulate provision of metres at the cost of that body and the payment by the owner or occupier of the house of meter-hire alone or of meter-hire and the cost of fixing the metres, those provisions should be followed in respect of Government buildings also.

(b) The cost of the works which are executed by municipal agency in accordance with the above instructions shall not be payable in advance to the municipal council

concerned. The actual cost of the work should be billed for and payment claimed by the council after the works have been executed.

### VIII. Advances to Contractors

**197.** Advances to contractors are as a rule prohibited, and every endeavour should be made to maintain a system under which no payments are made except for work actually done. Exceptions are, however, permitted in the following cases

(a) Cases in which, in the interest of work, it is absolutely necessary to make petty advances— see Paragraph 315, A.P. Public Works Accounts Code. In such cases subordinates in charge of works, sub-divisional officers and Executive Engineers are authorized to make advance upto a limit of Rs. 50, Rs. 100 and Rs. 250, respectively. They should, however, take the necessary precautions to secure the Government against loss.

**Note 1** :— The limit referred to above apply to each work and not to each individual workman employed on a work.

**Note 2** :— In the case of works in the Agency tracts, the limits upto which the three classes of officers referred to in the above rule can make advances to petty-piece workers shall be Rs. 100, Rs. 200 and Rs. 50, respectively. These limits shall apply to each individual piece-worker.

(b) **Electrical works executed on contract** :—The Electrical Engineer may sanction an advance of eighty per cent on the value as certified by him, according to the terms of clause 20 of the general conditions of contract printed in Public Works Department, Form No.11—20.

(c) In all other cases the State Government may, in exceptional circumstances, authorize such advance as may be deemed indispensable, but the state officers must take the necessary precautions for securing Government against loss and for preventing the system from belonging general or continuing longer than is absolutely essential.

(Powers as delegated in G.O.Ms.No.1007, Tr. & B., Dt. 5—11—1976)

(d) Advances to the contractors for acquisition of new machinery required for the work upto 75% of their cost limited to 10% of contract value for works valued upto Rs. 10 lakhs each, and 6% of contract value for works costing more than Rs. 10 lakhs each may be given, if asked for by the contractor. The money advanced under this clause is subject to payment of interest by the contractor at the prevailing commercial bank rate. The machinery for which the advance is paid should be got hypothecated to the Government and also got insured at the cost of the contractor. The advance, together with interest, may be recovered from the bills of contractor. Alternatively, the Government may procure the machinery required for works by the contractor and sell the same to the contractors on hire purchase terms, provided these conditions are stipulated in the tender documents at the time of calling of tenders.

### Explanation

Sanction of advances to contractors as a rule is prohibited. However for some special reasons advances have to be sanctioned by Government depending on the merits of each case.

The Government of Andhra Pradesh in consultation with the Accountant General ordered that advance payment to the contractors who undertake the execution of major Bridge works involving HT. Steel and anchorage cones etc., be made to the extent of 75

per cent of the materials brought to the site. The advance payment should be made only after the contractor executes an indemnity bond.

(G.O.Ms.No. 510, PWD, Dt. 14—3-1962)

The Government further decided in G.O. Ms. No.5 12, PWD, dated 19—5—1973 that the material brought to site should be imperishable in nature and a formal agreement should be drawn so that the Government can secure a lien on the materials. Payment of the advance should be made only on the certificate of the Executive Engineer. No interest will be charged on this type of advance.

Government also decided to sanction advances for purchases of new machinery of special type which the contractors are not generally supposed to possess subject to the following conditions:

(a) In respect of contracts exceeding 10 lakhs only any loan may be given on machinery brought to site at 75 per cent of purchase price.

(b) Interest should be charged at Reserve Bank of India rate plus 3 per cent.

(c) The Machinery should be hypothecated to the Government and Bank Guarantee obtained.

(d) The advance together with interest should be recovered by the time 80 per cent of the contract value is completed.

(e) The probability of granting loans should be indicated in the tender notices.

### **IX. Sanitary Rules on Extensive Works**

**198.** A set of special rules framed by the Director of Medical Services is printed in Appendix XII. It is the duty of the Superintending Engineer to see that these rules are carried out. Any reasonable outlay connected with sheds for work people, water-supply, drainage, conservancy, hospital, or police may be authorized as forming part of the contingent outlay on a work under execution.

### **X. Information for the Survey of India**

**199.** To enable the Survey of India to keep the map of India up-to-date in respect of new canals, embankments, roads, etc., on index record may from original surveys, on a scale not less than one inch to one mile, should be sent to the Survey of India Office, Calcutta, on completion of the work. The topography adjoining the alignment, such as village-sites, trijunction boundary pillars; other permanent objects and the crossing of roads and streams, should be accurately shown, and it should be stated on the maps supplied whether the information has been derived from actual survey or otherwise.

### **XI. Construction and Maintenance of Mortuaries**

**200.** The construction and maintenance of all mortuaries will be undertaken by the Public Works Department and charged to state revenues. The District Medical Officer will be responsible for reporting to the Public Works Department when mortuaries in his jurisdiction require repairs.

## **I — DEPOSIT WORKS**

### **I. General**

**201.** The department may occasionally execute works provided wholly or partly from—

- (a) funds of a public nature such as local or municipal or similar funds,
- (b) public contributions,
- (c) loans from Government to a local body.

*Note* :—Estate works under the Court of Wards should be treated as deposit works.

**202.** Where a work is financed partly from the funds in Paragraph 201 above and partly from Government grants-in-aid, the procedure prescribed in Rule 1 under Paragraph 470 of the Andhra Pradesh Public Works Account Code for the payment of grants-in-aid should be observed.

**203.** The realization of contributions for churches is regulated by the Ecclesiastical Rules published by the Government of India. In all other cases, the contributions should be realized before any liability is incurred on account of the work. No interest will be allowed on the contributions.

*Note* :— Superintending Engineers are empowered to recover contributions by suitable instalments on fixed dates, if they are satisfied that the money will be forthcoming when required. The Executive Engineer may exercise similar powers for works within his powers of sanction. No advance of Government money is permissible in the case of works wholly financed from sources mentioned in Paragraph 201 and if the payments are made by instalments, the Public Works Department will not be responsible for damages or additional cost due to suspension of work for want of funds. See Rule 1 under Paragraph 470 of the Andhra Pradesh Public Works Account Code.

**204.** Provision must be made to cover the cost of establishment, tools and plant at percentages prescribed in Paragraph 6 of Appendix 7 to the A.P. Public Works Account Code. No reduction of these charges may be made in the case of works costing Rs.1,000 or more but when the cost of the works is less than Rs.1,000 these charges may be remitted with the sanction of the State Government — see also Paragraph 9 of Appendix 7 to the A.P. Public Works Account Code.

*Note (1)* —When lump-sum contributions are received towards Government works from local bodies or private persons or bodies, they should be divided into two parts as laid down in Paragraph 477 of the A.P. Public Works Account Code, the one representing a share of works expenditure and the other the amount chargeable on that share for establishment and tools and plant charges calculated according to the percentage fixed in sub-clause (iv)(a) of Rule 6 of Appendix 7 of the A.P. Public Works Account Code. No charges for audit and accounts should be levied in such cases.

*Note (2)* :— Works done for the welfare of scheduled tribes and for the development of scheduled areas at the cost of the department concerned are exempted from the levy of the above charges.

(G.O.Ms.No. 245, PW(Y) D, Dt. 24—2—1971)

**205.** Deposits on account of one work cannot, in any circumstances, be utilized for another.

## **II. Special Rules for Works wholly Financed from non—Government Funds**

**206.** Besides the rules in Paragraphs 201 to 205, the following are specially applicable for works financed wholly from non-Government funds :—

(1) The design and estimates must be drawn up in consultation with the administering the funds, and must also be approved by the Public Works Department authorities like any ordinary public work.

(2) A written approval to the estimate and design as well as an understanding that the Public Works Department does not accept any responsibility for unavoidable and reasonable excesses caused by any rise in prices, authorized deviations, losses by fire or theft or other unforeseen factors, should be obtained from the administrators of the funds before starting work. Alterations in design should be similarly dealt with.

(3) The officer incharge of the work should report at once to his superiors and to the contributors, any anticipated excesses and give full information regarding the progress of expenditure, so that there may be no responsibility for Government if the work has to be stopped later on for want of funds.

(4) The authorities undertaking such works should see that both parties understand clearly their mutual responsibilities.

(5) Where the works is of such magnitude or there are special circumstances justifying it, an agreement should be drawn up under legal advice.

### **III. Rules relating to Construction Estimates for Irrigation and Subsidiary Works**

**207.** (1) These orders and rules apply only to the construction and maintenance of new works in connexion with a Government irrigation system, the cost of which works is defrayed, in whole or in part, by the voluntary contributions of interested parties. They do not apply to works done by a private person at his own expenses in connexion with any field channel which is private property.

(2) No works in connexion with Government irrigation system will be undertaken save with the previous sanction, in writing, of the Government or of an officer of the Public Works Department authorised as shown in Rule (5) below and except on the conditions mentioned in Rules (6) and (7).

(3) The actual execution of such works, except those mentioned in Rule (4) below, when sanctioned, will be undertaken by the Public Works Department as contribution works (vide Rule I under Paragraph 470, A.P. Public Works Account Code); and all such works inclusive of those mentioned in Rule (4) below when constructed, shall be deemed to be works constructed by, and belonging to Government.

(4) In the cases of bridges, culverts, bathing-ghats, or rams required by municipalities, zilla parishads, panchayat samitis or village panchayats constituted under the A.P. Gram Panchayats Act, 1964, the design and location of each work require the approval of the officer of the Public Works Department authorized to accord technical sanction to an estimate for a Government work of a similar nature and estimated cost. The agency by which the work will be executed will be the Public Works Department or Engineering staff of the Zilla Parishads, Panchayat Samithis and Panchayats concerned according as the Superintending Engineer, or in cases beyond the Superintending Engineer's powers, the Chief engineer may decide. If the Zilla Parishad, Panchayat Samitis and Gram Panchayats has borne the entire cost of construction, it will also bear the full cost of maintenance.

**Note** :—Zilla Parishads, Panchayat Samitis, Panchayat or Municipalities may be allowed to execute such works costing Rs.2,500 and less provided that the execution is supervised by the Public Works Department or by the Engineering staff of the Zilla Parishad, Panchayat Samithi or Municipality as the case may be.

(5) The Chief Engineer and Superintending and Executive Engineers are authorized to record both administrative and technical sanction to all estimates for contribution works for irrigation and subsidiary purposes to be executed by the Public Works Department upto the limits of their powers laid down in Paragraphs 416, 420 and 430 of the A.P. Public Works Department Code, subject to the condition that the construction of the proposed works has been previously approved by the Collector of the district.

(6) Before the sanction is accorded to the carrying out of any contribution works, other than those referred to in Rule (4) the contributor or their authorized representatives must sign an agreement duly stamped in the prescribed form — vide Appendix VIII—A of the A.P. Public Works Department Code.

**Note** :—All such agreements should be registered and sent to the Director of State Archives, Hyderabad for safe custody.

(7) Superintending and Executive Engineers are permitted to undertake the maintenance of contribution works subject to the limit of their powers to sanction similar repair or maintenance estimate in respect of ordinary works and subject to the following conditions:—

(a) In the case of contribution works for which the Government have not contributed as much as half the original cost of construction, the repair works may, if the sanctioning officer considers it desirable be carried out at public cost if the amount does not exceed Rs. 50 in each case in any one year.

(b) In the case of works for which Government have contributed half or more than half the original cost, the works of maintenance and repairs may similarly be carried out at public cost without any specified limit.

Sanction to carry out works of maintenance under this rule should be given only when the necessity for such works arises and not when the original contribution works themselves are sanctioned.

Where the cost of maintenance is to be recovered, in part or in whole, from the interested parties, the amount required should be recovered before any repairs or works of maintenance are commenced.

(8) A deposit of Rs. 30 will be recovered from the contributors before plans and estimates for any contribution works are prepared by the officers of the Public Works Department. In cases where the Executive Engineer considers this amount unsuitable, he will address the Superintending Engineer. An agreement duly stamped will be obtained from the applicants in the prescribed form (vide Appendix VIII—B of the A.P. Public Works Department Code) to the effect that unless the work is dropped owing to the objection of third parties, the deposit will be forfeited if the applicants withdraw after the preparation of plans and estimates. This rule does not apply to works asked for by local bodies. In such cases when the Public Works Department prepare plans and estimates for works to which a local body has agreed to contribute, that body should pay 2¼ per cent of the estimated cost of work (subject to a minimum of Rs. 10) for the preparation of plans and estimates and 1 per cent of the estimated cost of the work (subject to a minimum of Rs. 5) for their security. If the works are eventually executed by the Public Works Department, the fees levied on this scale be adjusted towards centage charges. The fees, will not be refunded in any circumstances.

(9) No charges on account of establishment and tools and plant will be made on outlay on new original works which are undertaken in the interest of Government, and to which local bodies or private persons or bodies contribute, either wholly or in part. But the lump-sum contributions made by these bodies or persons in such cases should invariably be distributed, for accounts purposes, into two parts (laid down in Paragraph 477 of the A.P. Public Works Account Code), the one representing a share of works expenditure and the other the amount chargeable on that share as establishment and tools and plant charges, calculated according to the percentage fixed in Rule 6(iv)(a) of Appendix 7 of the A.P. Public Works Account Code. No charge for audit accounts should be levied in such cases.

In the case of other works, i.e., works which are not required in the interest of Government, but are carried out on behalf of private individual or bodies, Z.P., P.S., Municipalities constituted under the Gram Panchayat Act, 1964 and also works which are in the nature of maintenance of existing works, percentage charges as shown in the margin.

\*13 per cent on works outlay for establishment,

1 per cent on works outlay for tools and plant,

1 per cent on works outlay for Audit and Accounts establishments,

1 per cent on works outlay for pensionary charges.

\*Will be levied where the cost amount to Rs. 1,000 or over, percentage charges will also be levied on such works costing less than Rs. 1,000/- unless the levy is specifically remitted by the State Government.

**208.** (1) The following rules will apply to works for which contributions are recoverable on account of the joint ownership or interest, possessed by the Government and other concerned parties. A list of the irrigation or the navigation works which serves more than one interest, e.g., Government, private persons or local bodies and showing the various irrigation systems and the shares of contribution payable by the various interested parties towards the maintenance charges of such systems will be issued periodically by the Chief Engineer for Irrigation.

(2) In these cases centage charges should be recorded on the amounts of contributions at the rates specified in the sub-paragraph under Rule 9 of Paragraph 207.

(3) When an estimate for a contribution work included in the list is framed, the contributors should be furnished with copies of abstract estimate and the report showing the need for the work and asked to pay their shares together with centage charges thereon in advance, a reasonable time being allowed for offering their remarks before the work is commenced. In the event of their refusing to pay the amount the work should be carried out by the Government, if it seems expedient to do so. In such case, a separate account should be maintained showing the items which are covered by centage charges, for the purpose of production in Court, if recovery by civil suit is necessary. On the completion of the work a second notice demanding payment of the appropriate contributions together with interest thereon from the date of that notice till the date of payment should be issued immediately after the works are completed and paid for. If the contributions are not paid before a specified date, the amount should be recovered by a civil suit.

(4) The case of other contribution works not included in the list of contribution works but for which landholders are by equity bound to pay should be decided on their merits and the works should not be put in land until necessary agreements are concluded with them and the contributions are recovered.

(5) Urgent contribution works such as repairs of damages caused by floods may, after due notice to the contributors, be carried out to the extent absolutely necessary, immediate steps being taken to cover the contributions in consultation with the Collector of the district. The authority sanctioning the work should satisfy himself that the repairs are urgent and essential and should record his opinion in writing to that effect. Any work that can safely be postponed should not be carried out before contributions are recovered.

(6) In the case of works for which Government have agreed to contribute and which other interested parties carry out, the parties should be required to give at least a fortnight's information in advance to the commencement of the work and in the case of really urgent work to inform the Executive Engineer and the Sub-divisional Officer within three days of the commencement of the work.

**Note 1** :— The above rules do not apply to cases where Indian States are concerned and such cases should be dealt with in accordance with the terms of the special agreements concluded with them in the case of each work.

**Note 2** :— [Deleted]

**208-A.** The construction and maintenance of Zilla Parishad and municipal roads on the banks of Government Irrigation Works are governed by the rules in Appendix XX of the Code.

#### **IV. Government Works Partly Contributed for by Local Bodies and Private Parties**

**209.** There are certain works, which are the property of Government for which a share of the cost is recoverable by mutual arrangement between Government and the Zilla Parishads or private parties concerned either as a proportion of the cost of the work or in fixed lump-sums, e.g., maintenance of certain roads, bridges, and hospitals, certain tax restoration works, etc. The procedure for watching recoveries and adjusting them in the accounts is contained in Paragraph 393-A of the A.P. Public Works Accounts Code.

#### **V. Clearing of Prickly-pear**

**210.** Under the Kudimaramat rules, when ryots who are responsible for the clearance of prickly-pear from tank bunds and channel banks fail to do so, the procedure to be followed should be—

(1) to call on the villagers concerned to do the work as laid down in Board's Standing Order No. 86, Paragraph 6

(2) to get a report of their failure to do it if they decline

(3) to hold an auction in the village itself for the lowest bid for the work and to get the village panchayat to accept the sum ; and

(4) to follow the procedure prescribed in Local Ruling 3 under Article 45 of the A.P. Accounts Code, Volume III, for the accounting of expenditure incurred by the Public Works Department, in such cases.

The forms of agreement for adoption in cases where prickly-pear bushes, trees, etc., have to be cleared from Government irrigation sources, is given in Appendix XVI.

**Note 1** :— Estimate for removal of prickly-pear will be sanctioned under "ordinary repairs", the countersignature of the Collector of the district being obtained in cases where the amount has to be recovered from the ryots under "Kudimaramat",

**Note 2** :— In village where panchayats do not exist the procedure indicated in Board's Standing Order No. 86, Paragraph 6, should be followed and the auction conducted, if necessary, with the help of the village officials.

## **J — DISPOSAL OF ESTIMATES**

### **I. Office of Record for Estimates**

**211.** Estimates, after being sanctioned by proper authority, should be returned to the Executive Engineer for record in his office.

### **II. Communication of Sanction to Estimates to the Audit Officer**

**212.** A return of all estimates sanctioned by the Executive Engineer should be sent monthly to the Superintending Engineer, serial numbers being given for the estimates of the division, and a copy of the return should simultaneously be forwarded to the Audit Office not later than the 5th of the month following the month of sanction. A similar return should be furnished to the Audit Office by the same date by the Superintending Engineer in respect of estimate sanctioned by him.

Advices of all detailed estimates sanctioned by an authority higher than a Superintending Engineer should be communicated to the Audit Officer, monthly at least.

Extracts from these returns as regards major original works relating to the Roads and Buildings branch should be sent to the Chief Engineer so as to reach his office not later than the 10th of each month.

**Note** :—The Superintending Engineer is responsible that in cases where a substantial section of a project sanctioned by higher authority has been abandoned, even though provisionally the aggregate assumed cost (including contingencies) of the works included in that section is intimated to the Audit Officer for exclusion from the total sanctioned estimate of the project. See also Paragraph 182.

### **III. Supplementary Estimates**

**213.** Any development of a project though necessary while a work is in progress, which is not fairly contingent on the proper execution of the work as first sanctioned, must be covered by a supplementary estimate, accompanied by a full report of the circumstances which render it necessary.

The following particulars should invariably be furnished when submitting supplementary estimates for sanction :—

(1) Every supplementary estimate should be numbered consecutively as first supplementary estimates, second supplementary estimate, third supplementary estimate and so on; and

(2) The application for sanction to supplementary estimates should show the amount of the original estimate and the total amount including the supplementary estimate for which sanction is sought and also of the supplementary estimates sanctioned previously.

### **IV. Revised Estimates**

**214.** [A revised technical estimates must be submitted when the expenditure is likely to exceed the amount of sanctioned estimate plus such excess as can be passed by the appropriate authority for any case whatever other than tender premium or when material developments or deviations necessitate revised administrative approval].

[G.O.Ms.No. 242, PWD., Dt. 11-2-1966 & G.O.Ms.No. 292, Tr.&Rd.&B., (CI) Dept., Dt. 8-9-80]

It must be accompanied by a report showing the progress made to date and explaining fully the cause of the revision. The revised estimate need not contain details of items which are not altered, but a mere note to this effect ; but the altered items should be shown in a comparative statement, P.W.D., Forms V-17 and 18. The sanctioned estimate must accompany a revised estimate. It is the duty of the Executive Engineer to see that revised estimate is prepared and disposed of directly as the necessity arises.

### V. Utilisation of Completion Report as revised estimate

**215.** When excesses occur at such an advanced period in the construction of a work as to render the submission of a revised estimate purposeless, the excesses, if beyond the power of the Executive Engineer to pass must be explained in the completion report.

## K - COMPLETION REPORTS, CERTIFICATES AND PLANS

### I. General

**216.** (a) A consolidated completion report in P.W.D. Form No. 45 (P.W.D. VI- 94), should be prepared monthly of all completed works other than those referred to in clause (b), the actual expenditure on which is in excess of the sanctioned estimate (vide Paragraph 182) by an amount greater than that which the Executive Engineer is empowered to pass. This report should show for each work or group of works the estimated cost, the outlay, and the excess. When the completion report is utilized instead of a revised estimate under Paragraph 215, sufficient details must be given, if the excess is more than 5 per cent to satisfy the authority whose sanction is necessary.

(b) A detailed completion report in P.W.A. Form No. 44 (PWD VI-93) need only be prepared in respect of works on which the outlay has been recorded by sub-heads—

(1) when, if the work was sanctioned by higher authority, the total estimate has been exceeded by more than 5 percent, and

(2) when, if the work was sanctioned by the Executive Engineer, the total estimate has been exceeded by an amount greater than that which he is empowered to pass.

This report should give a comparison and explanation of differences between the quantity, rate and cost of the work executed and those entered in the estimate. See also Paragraph 182 of this Code and Paragraph 378 of the A.P. Public Works Account Code.

**Note 1** :— The Superintending Engineer may, if he so desires, require a detailed completion report to be prepared on the completion of any other work.

**Note 2** :— Special rules for the preparation of completion reports or irrigation projects are given in Paragraph 401 and Rule 33 of the rules issued by the Government of India in their letter No. IR.139, dated 6th July, 1929.

**217.** It is left to Superintending Engineers when starting the execution of a work to decide whether intermediate completion reports may be submitted for important component works forming part of a large scheme.

**218.** In all cases of submission of revised completion reports, full particulars should be furnished as regards the excess incurred and the circumstances under which the revision of the original completion report has become necessary.

**219.** Completion statements or reports should not be delayed for want of a completion certificate.

**220.** When the settlement of compensation claims is unavoidably delayed, the completion report should not be held back on this account, but the estimated amount of compensation of land should be recorded therein as a distinct item in order that the total cost of the work including liabilities may be brought out in the completion report, so as to admit of administrative check being exercised over the total outlay as compared with the sanctioned estimated.

## **II. Works Executed on behalf of other Departments**

**221.** On the completion of a work in accordance with the sanction and approved, executed on behalf of another department, the local head of that department will be informed in writing by the Executive Engineer to that effect. Such formal notification will constitute the handing over of the work to the department for whom it was carried out. Reasonable warning of the imminence of such notification must of course be given.

**222.** Civil and Military Officers are required to fill up and sign all authorized forms and requisitions concerning the execution of any original work affecting their department.

## **III. Record drawings**

**223.** Record drawings, showing the work as actually constructed, should be completed as soon as possible by the officer in immediate charge of every new work or alteration of an existing work, for approval and record by the Executive Engineer (vide Paragraphs 85 and 262). Completion plans, consisting of copies of the record plans of the most important works and alterations, should, if required to elucidate the report or if otherwise so directed by the Superintending Engineer, be prepared in the Executive Engineer's Office to accompany the completion report.

## **IV. Office of Record**

**224.** On the completion of any work in respect of which a completion report or statement is required under rule, such report or statement should be forwarded by the Executive Engineer to the Audit Officer who should after verification of the figures, transmit it to the Superintending Engineer. That officer should forward it to the Chief Engineer if he is not himself empowered to deal with the excess. After disposal by the authority concerned it should be returned to the divisional office, or such other office as the State Government may decide on as the office of final record.

Completion plans, if any, should not be sent to the audit office but should be forwarded direct to the Superintending Engineer who should attach them to the completion report on its receipt.

Completion plans, if any, should not be sent to the audit office but should ordinarily be retained in the divisional office, but in the event of unfavourable remarks having been recorded upon such a certificate by any civil or military officer, it should be submitted for the orders of the Superintending Engineer with the explanation of the Executive Engineer and an account of any action he may have taken.

**Note** :— Completion report in respect of works costing less than Rs. two lakhs need not be sent to A.G's. Office for verification of figures of expenditure. However in respect of projects where separate way and accounts office organisation exist, completion reports shall be sent to the P.A.O. irrespective of the cost of the work.

(G.O.Ms.No. 417, TR, R & B,(CI) Dept., Dt. 27-12-1 980)

**CHAPTER III - Public Buildings****A – GENERAL****I. General Rules**

**225.** The Officer incharge of each building should make some person of his establishment answerable for its general condition.

**226.** No Government building in which stores or Government property is kept or in which naked lights are used should be used for theatrical purposes. By 'naked light' is meant all lights requiring air for their burning.

**227.** Insurances of Government buildings are not to be effected except in the case of specially valuable property liable to special risks. In the latter case the sanction of Government should be obtained.

**228.** The initial supply of fire buckets and fire extinguishers together with other appurtenance, such as, stands, brackets, etc., as well as all renewals of, and repairs to, the fire buckets and fire extinguishers shall be made by the heads of the offices concerned, such works being treated as assigned to the departments concerned. If, in any case, professional skill or assistance is considered, necessary, the Executive Engineer or the Sub- divisional Officer shall be consulted.

When a building is occupied by more than one department, the 'department' for the purpose of this rule, shall be the Revenue Department if it be one of the occupants and if not, the State Government department occupying the major portion of the building, to be decided in each case by the Superintending Engineer concerned. If, in such cases, the Forest Department or a department of the Central Government happens to be one of the occupants the cost of the fire appliances supplied or of the repair thereto in respect of the portion of the building occupied by such department shall be recovered from that department.

**Note** :— (i) Detailed rules for protection of Government buildings against fire will be found in Appendix XXI.

(ii) Fire buckets shall not be supplied to residential buildings or inspection bungalows. But in cases where a building (whether owned by Government or hired) is used partly as an office and partly as a residence for a Government Officer, both the office and residential portions shall be provided with fire-protection appliances by the departments occupying such buildings.

**II. Fixtures and Furniture****(a) Fixtures**

**229.** Every public building should be provided with necessary fixtures by the Roads & Buildings Department which should also repairs these fixtures periodically. All petty repairs of fixtures and the replacement of broken glass in doors and windows required in the intervals between the periodical repairs should be carried out by the officer incharge of the building — see Paragraph 95-97.

**Note 1** :— The Principals, Government Colleges are empowered to carryout departmentally upto a limit of Rs. 250 petty improvements and repairs to the fixtures in the College

buildings, such as, renewals of locks, window panes, belts, etc., which required not technical skill or supervision by officers of the Roads and Buildings Department.

The Principals, Government Colleges are empowered to carry out departmentally upto a limit of Rs. 250 (rupees two hundred and fifty) petty repairs to the fixtures in the College buildings including hostels and residential quarters, such as renewal of locks, window panes, etc., which require no technical skill or supervision by officers of the Roads and Buildings Department. This delegation does not authorize the execution of repairs to residential portions of the buildings, if such repairs will increase the capital cost thereof. The Executive Engineer should be consulted in doubtful cases.

**Note 2** :—Matting for floors, ratten blinds or chicks, locks for outside doors, etc., will not be treated as fixtures to be provided by the Public Works Department, except in the case of residential buildings, for which plain and inexpensive matting, such as ordinary coir matting, etc., will be treated as fixtures to be provided by the Roads and Buildings Department.

**Note 3** :—In the case of those non-residential buildings, however, in which petty works of construction and repairs are now attached to by the Public Works Department under Paragraph 97 of this Code that department will undertake the supply and renewal of and repairs to chicks.

**Note 4** :—No pandals may be erected or maintained for residential buildings at State expense, except for the receipt of His Excellency the Governor, in which case the charges are debitable to civil estimates.

**Note 5** :—Pumps should not be installed at public expenses on wells attached to residences.

**Note 6** :—(i) Flags will be provided by Executive Engineer of Divisions, in consultation with the Collectors concerned, for public buildings incharge of the Roads and Buildings Department.

Where a group of buildings contains a number of offices, it is sufficient if one flag is provided for the whole group.

(ii) Flagstuffs, blocks and ropes may be provided by the Roads and Buildings Departments for all public buildings incharge of the department for which flags have been supplied under Rule (i) above.

(iii) The initial supply of flags, flagstuffs, blocks and ropes for buildings incharge of Roads and Buildings Department will be met from “259. Public Works”, and the estimates for provisions will be classed as “Original Works”, Renewals and repairs of flag, flag-stuffs, etc., will be attended to by heads of offices occupying the buildings, the charges being debited in the same way as repairs to the buildings.

(iv) The General Superintendent, Public Works Stores, A.P. will stock and issue flags in indents received from Executive Engineers or Heads of Offices requiring them.

**Note 7** :—In the case of an official residence, whether newly constructed, purchased or hired punkahs with their fittings on the scale approved by the State Government may be supplied and maintained by Government. All other punkahs and fittings should be provided and maintained by the tenant. Punkah includes its suspending ropes, tubes, pulleys, its pole or board and the flap attached thereto and its pulling ropes or leather things. It does not include covering for the flap or frills.

**Note 8** :—All expenditure or furniture which can be classified as “Fixture” should be debited to the works.

**(b) Furniture**

*(i) General*

**230.** Ordinarily the Executive Engineer will not supply nor repair furniture, screens, purdahs, or tattis ; nor will he perform any of the duties specified in Paragraph 229 as devolving on the departmental officer incharge. Furniture for new offices may, however, be supplied by the Executive Engineer, and charged in his accounts provide that State Government authorizes the inclusion of the cost of such furniture in the estimates of the offices concerned. The rule does not apply to the supply and repair of furniture of any of the Government inspection bungalows incharge of the Roads and Buildings Department; the cost of these will be borne by the Roads and Buildings Department. [Furniture supplies to inspection Bungalows will be debited to the works estimates and subsequent repair to the maintenance estimates of the inspection Bangalows].

[G.O.Ms.No. 948, P.W.D., Dt. 20-8-1973]

**Note 1** :— Inspection bungalows should not ordinarily be furnished with cutlery and crockery and the sanction of Government should be obtained in each case to the provision of them.

**Note 2** — The furniture required by the division and sub-division offices of the Public Works Department should be debited to the contingent grant of the office concerned, whatever be the nature of the division special project ordinary].

[G.O.Ms.No. 948, PWD., Dt. 20-8-1973]

**231.** Superintending Engineer may accord sanction for the provision of furniture for inspection bungalows on the scales laid down subject to the money-limits. In according sanction in each case he should certify that the cost of new supplies together with the cost of the articles already supplied to the bungalows does not exceed the money-limits laid down. The Executive Engineer can sanction estimates for subsequent repairs and renewals. In according sanction to renewals, he should see that the number and cost of the articles renewed does not exceed the number and cost of those replaced.

**232.** The following scale of furniture is laid down for inspection bungalows. The list is not exhaustive and the Chief Engineer is empowered to vary the number of any article or sanction any additional new articles required provided the total cost does not exceed Rs. 1,000 (one thousand) for a bungalow with double accommodation and Rs. 750 (seven hundred and fifty) for a bungalow with single accommodation

Two iron bed steads with wire mattresses and complete mosquito curtain arrangements.

Two wash hand stands with basins.

Two galvanized iron bath tubs.

One combined meat safe and drawer (common to both rooms).

Two sanitary commodes with tripod stands.

One dining table, 4 feet by 4 feet (common to both rooms).

Two medium size office tables.

Two small size dressing tables.

Two clothes stands (horse with pegs 6).

Four arm chairs.

Two easy chairs.

Two box patent mirrors.

Two kitchen tables, 4 feet by 2 feet with 1 inch mango top.

Two matty tables, 4 feet by 2 feet polished top.

Two teakwood towel racks, ordinary.

Two teakwood stools, small round top, 1 inch diametre.

Two teakwood ordinary teapoys.

Tow galvanized iron buckets.

**(ii) Residence of High Officials.**

**233.** (a) The administration of the furniture fund of the official residences of His Excellency the Governor including the upkeep of a stock list and the purchase, repair and maintenance of furniture, will be conducted by the Military Secretary under the rules issued by the Government of India in the Home Department. The Military Secretary to His Excellency the Governor will furnish to the Audit Officer an annual certificate of verification in respect of Government House furniture, on or before 31st July each year stating that all furniture has been inspected and checked with the stock list maintained and that he is satisfied—

- (i) that all new supplies up-to-date have been correctly brought on to the inventories;
- (ii) that the inventories are correct in all respects;
- (iii) that the articles in stock agree with the inventories;
- (iv) that sale-proceeds have been properly accounted for;
- (v) the sanctions of competent authority exist for all articles written off the inventory; and also;
- (vi) that the articles of furniture are being properly maintained and are kept in serviceable order;

It is important that the furniture should not be allowed to deteriorate to an extent that will give rise to large demands for renewals on any change of incumbents.

**Note 1** :— Chinks (rattan or bamboo) are different from blinds and are into debitable to “Furnishings but to Maintenance and repairs”.

**Note 2** — The cost of supply and repair of furniture to the following quarters attached to the Government Houses, is debitable to the Public Works grant.

(b) The Executive Engineer, Roads and Buildings Division, will be incharge of the furniture supplied to the residences of Ministers and will be responsible for keeping proper accounts of the furniture. He will furnish to the Audit Officer an annual certificate for verification of furniture in the residences of Ministers on or before 31st July each year, on the lines mentioned in Paragraph 233(a) in respect of furniture in Raj Bhavan.

### III. Purchases, Sale and Transfer of Government Buildings

#### (a) Purchase of Buildings

**234.** No building may be purchased for public purposes without the order of Government, to whom a survey and valuation report by the Executive Engineer of the division should, in all cases be submitted — see also Paragraph 264.

#### (b) Sale and Dismantlement of Buildings

**235. Buildings incharge of Roads and Buildings Department :**—Chief, Superintending and Executive Engineers have power to sanction the sale or dismantlement of State Government buildings incharge of Roads and Buildings Department when the book value of the building does not exceed Rs. 10,000/-, Rs. 5,000/- and Rs. 1,000/- respectively. As however they have no power to sell land, whenever they sanction the sale of building they should communicate their order to the Collector who will then take the necessary steps to sell both buildings and land together.

**Note 1 :**—No building should be sold unless it has been previously ascertained that it is not required by any department of Government and the approval of the Collector should be obtained before any building is ordered to be sold.

**Note 2 :**—No building should be demolished unless it is in a dangerous condition or past repair.

**Note 3 :**—The powers will not extend to the sale or dismantlement of several individual buildings situated in a compound, the total cost of which exceeds Rs. 10,000/-, Rs. 5,000/- or Rs. 1,000/- as the case may be.

**Note 4 :**—When it is proposed to sell or dismantle a portion of the building the value of the entire building and not of the portion shall be taken for the purpose of determining the authority competent to sanction it.

**236.** Temporary buildings erected during the construction of a work may, under the sanction of the Executive Engineer, be sold or dismantled on the completion of the work of when the purpose for which they were erected has been served. It is the duty of the Executive Engineer to report when, in his opinion any other building or property of Government in his charge ought to be sold or dismantled.

**237. Building incharge of Revenue Department :**—(i) It should have been previously ascertained that any building to be sold is not required for the use of any department of Government.

(ii) The Executive Engineer concerned should have certified that any building proposed to be demolished is dangerous or past repair.

**238.** The sale-proceeds of Roads and Buildings Department building including the actual area occupied by or auxiliary to a building should be apportioned as follows

(a) When the cost of the building was originally debited to the Capital account for the Revenue account of a project for which regular Capital and Revenue accounts are kept or to a capital expenditure head outside the Revenue accounts even though no regular capital and Revenue accounts are kept for the work covered by the Capital expenditure, the sale-proceeds should be credited to the Capital or Revenue account of the project, or to the capital expenditure head originally debited, as the case may be recoveries of expenditure.

(b) When the sale affects irrigation, navigation, drainage and Flood Control works, for which capital accounts are not kept, the amount should be credited to “133. Irrigation, Navigation, Drainage and Flood Control projects for which no Capital accounts are kept”:

(c) When the sale is of buildings the cost of which was originally debited to “259. Public Works” the amount should be credited to “059. Public Works”.

(d) In all other cases—

(i) if sold in the Public Works Department (but see Paragraph 235) the amount should be credited to “XXXIX. Civil Works”, and

(ii) if sold by Civil agency, to “XIVI. Miscellaneous—State of Land and property”,

### (c) Transfer of Buildings

**239.** (1) Collectors, Conservators of Forests, the Chief Conservator of forests and the Board of Revenue are empowered to transfer buildings in their charge for occupation as offices from one department to another when they have been vacated by the former in consultation with the heads of departments but without reference to Government, subject to the condition that the book value of the building transferred does not exceed Rupees 2,500 in the case of Collectors and Conservators and Rs. 5,000 in the case of the Chief Conservator and the Board of Revenue.

(2) Superintending Engineers are empowered to sanction, in consultation with the Collectors of the district and the heads of departments concerned, the occupation as an office by one department of Government of a building incharge of the Roads and Buildings Department after it is vacated by another department for which it was originally constructed or provided.

(3) But the orders of Government should be obtained by the authorities concerned before the transfer is made—

(i) when it is proposed to transfer a building to Zilla Parishad or private bodies (vide Paragraph 165) or to any department of the Central Government

(ii) when the building belongs to the Central Government

(iii) when two or more departments ask for the same building.

**Note** :— The discretion in regard to the transfer of Government buildings (which, though not immediately required for Government purposes, it is not considered desirable to dismantle) to local bodies on terms which will ensure the buildings being kept in proper repair and to secure the right of re-entry after reasonable notice, will be exercised by Government.

### IV. Hire of Office Accommodation for Officers of the Public Works Department

**240.** (i) When a private building is taken up by an officer for location of both office and residence either by private leasing or by allotment under the Andhra Pradesh Buildings (Lease and Rent Control) Act, its suitability for the location of the office and occupation by the officer and reasonableness of rent should first be considered.

(ii) Having taken up the building it should be suitably allocated to the office and residence and rent for the two portions fixed on the basis of plinth area.

(iii) Once this allocation is made the officer concerned should be made liable to pay the full rent for the residential portion irrespective of his pay and he should not be allowed to change the allocation unless there is an expansion or contraction of the office.

(iv) When once the portion of the building is allotted to an officer, as his residence, he is liable to pay the full rent for the residential portion of the building from the date it is occupied by him till the date of his vacating the portion of the building. When an officer, to whom a portion of the building is allotted as residence, is transferred out of the station and the portion of the building becomes vacant, it should be allotted to his successor. If there is no officer occupying the post for which this portion is allotted and if it cannot be assigned to any other officer or office during such period, the portion of the building in question should be immediately released to the owner if the latter is agreeable to such a course. If the residential portion of the building is occupied by the family of an officer, even after his transfer from the station or if the officer stores his personal effects in the portion even after his transfer he is liable to pay the full rent for the portions of the building till it is completely vacated by him.

[240-A.(a) Office accommodation may be hired for the P.W.D. if no Government building is available. In the case of accommodation for his office or for any of the subordinate offices of his department, the Chief Engineer can sanction rent upto Rs. 2,500/- per month in each case, when accommodation is provided in separate building. When accommodation is provided in a building partly used as private residence, the Chief Engineer can sanction rent proportionate to the extent of the main building set solely for office use, subject to a maximum of the half the rent of the house or Rs. 1,250/- a month, whichever is less. In the case of office accommodation for Executive Engineer, the Superintending Engineer, may sanction rent of a building upto a maximum of Rs. 600/- per month and upto Rs. 300/- for Sub-divisional Officer's Office, any higher rent being sanctioned by the Chief Engineer or by Government, as the case may be.

Any Executive Engineer may sanction the hiring of office accommodation for a Sub-divisional Officer upto the limit of Rs. 200/- per month in each case any higher in rent being sanctioned by the higher authority competent to sanction.

(b) When an Executive Engineer or a Sub-divisional Officer, for whose office no accommodation is provided in buildings owned or leased by Government provides office accommodation in a privately rented residence, he may under the orders of the Superintending Engineer in the case of an Executive Engineer and Executive Engineer in the case of Sub-divisional Officer draw in his contingent bills office rent proportionately to the extent of the main building set aside solely for office use not exceeding half the rent of the house. This is further subject to a maximum of Rs. 600/- in the case of an Executive Engineer and Rs. 200/- in the case of a Sub-divisional Officer. In according such sanctions, the Superintending Engineer or the Executive Engineer, as the case may be, must certify that no Government building is available and that no suitable separate building can be hired for the purpose at a less cost]. [Substituted by G.O.Ms.No. 265, R&B (CI) Dept., Dt. 21-7-1982]

(c) If the house is a Government building, the rent to be paid by the occupant should be calculated under Paragraph 263.

(d) In the case of leased buildings, the lease should distinctly show whether the municipal tax is payable by the lease in addition to the rent or by the lessor himself. If it is the local rule or custom for the taxes to be paid by the lessee, then the tax for the entire building will be paid by Government; if a portion of the building is occupied by the officer

as residence, then he should pay the share of such tax corresponding to the share of the net payable by him and Government should be debited with the difference. In the case of Government buildings, the entire tax will be paid by Government — vide also Para 250.

(e) In the case of private buildings taken on lease for office accommodation no lease deeds are necessary in case where the lease is for a period not exceeding a year and the amount of rent is Rs. 50 per mensem and below. In such cases, consent letter should be obtained from the owners as to the quantum of rent and period of lease with a provision that the Government officer may vacate the building after giving a months notice. In all other cases where the period for house is more than one year and or the rate of rent is above Rs. 50 per mensem, lease deed should be taken as usual but no stamp duty need be levied.

(f) In case of a Sub-divisional Office, the following conditions also apply :—

(i) In calculating the accommodation set apart for office purposes, no allowance should be made for a separate room, apart from the office, to be occupied by the Sub-divisional Officer.

(ii) The Sub-divisional Officer's immediate superior must certify both as to the adequacy of the accommodation provided for the office and its suitability.

**Note .1** :—The rules in Paragraph 240 do not apply to the hiring of accommodation for the storage of Government materials obtained for the execution of specified work. Such payment should be provided in the estimate for sanction by the competent authority.

**Note 2** :—The above powers are delegated subject to the following conditions

(1) The accommodation should be as per the scale prescribed.

(2) Reasonableness of rent certificate should be obtained.

(3) Availability of budget provision.

**241.** In the ease of Section Officers, the Superintending Engineer and the Executive Engineer may sanction the hiring of office accommodation upto a maximum of Rs. 75/- and Rs. 50/- p.m. respectively. Any higher rent being sanctioned by the higher authority competent. [Subs. by GO.Ms.No. 265, Tr., Rds, & Bldgs. (CI), Dt. 21-7-1982]

**242.** In cases where office accommodation is to be provided in a building partly used as the Section Officer's residence, conditions similar to those in clauses (b) and (e) under Paragraph 240 will apply and the rent to be paid by Government will be limited to half the actual rent of the building subject to a maximum of Rs. 10/-.

## V. Renting of Buildings

**243.** It is the duty of the Executive Engineer to endeavour to get tenants for public buildings not immediately required for Government use. They should generally be let from month to month, but a lease may be given with the Chief Engineer's sanction. A clause in the agreement should be added, when necessary, to enable the Executive Engineer to terminate the lease at short notice in case the building is required by Government.

**244.** Rent should be recovered from local bodies with office accommodation in Government buildings — see Paragraph 275.

A Zilla Parishad occupying a Government building must provide its own record racks at its own cost, but may ask the Superintending Engineer concerned to render it any necessary assistance.

**Note 1** :—Expenditure on additions and alterations to buildings occupied by local bodies should not be incurred without the specific sanction of Government.

**Note 2** :—Zilla Parishads which have not exercised the option of buying up record-racks, formerly fixed in such buildings by Government, are required to pay rent, the cost of the racks being included in the capital cost of the building or the portion thereof occupied by the Zilla Parishads.

**Note 3** :—It is not necessary to sanction data statements for calculating the rent of buildings not immediately required for Government use and let to local bodies or private persons under Paragraphs 243 and 244.

**245.** Rent should be recovered from commercial departments and from departments of the Central Government for State Government buildings occupied by them wholly or partly for non-residential purposes as below—

(a) Six per cent interest on book value of the building with additions and alterations and of Sanitary, Water Supply and Electrical Installations and fittings in the buildings plus 1 ½ per cent on book value of the buildings, excluding the cost of land, but including cost of sanitary, water supply and, electrical installations and fittings to recover capital investment at the end of the life of the buildings plus 4 ½ per cent for maintenance on the capital cost of the building excluding the cost of site and 6 per cent for maintenance on the capital cost of sanitary, water supply and electrical installations and fittings should be charged.

(b) Municipal or union taxes should be paid by the occupying departments direct to the authorities concerned, except in the case of a commercial department or a department of the Central Government which occupies only a part of the building. In such cases, the procedure laid down in Rule (i)(b) in Appendix 12-A, Andhra Pradesh Financial and Accounts Code, Volume II, should be followed.

(c) Superintending Engineers of circles are empowered to approve finally on the certificate of the Audit Officer, data statements for calculating the rents of such buildings, provided the rent is fixed strictly in accordance with the above rule and notes hereunder.

**Note 1** :—The terms “book value” and “capital cost” used in this rule represent—

(a) the actual cost of constructing or acquiring the buildings, plus

(b) the cost or assessed value of the site, plus

(c) in the case of buildings constructed after 1st January, 1922 and before 1st April, 1930 and those started before 1st April, 1930 and in progress on that day, 15 per cent on the “works outlay”, for establishment, tools and plant, and in the case of old buildings constructed prior to 1st January, 1922 to which improvements involving increase of capital were carried out after 1st Jan., 1922 and before 1st April, 1930 or were started before 1st April, 1930 and in progress on that date, 15 per cent of such increase. (This applies to buildings occupied by commercial departments as well as to those occupied by departments of the Central Government) ; or

(d) in the case of buildings (occupied by commercial departments), the construction of which was started on or after 1st April, 1930, 12 per cent on the ‘works outlay’ for the purpose mentioned in clause (c) above and in the case of old buildings constructed prior to 1st April, 1930, to which improvements involving increase of capital cost were started and carried out on or after 1st April, 1930, 13 per cent of such increase; or

(e) - in the case of buildings (occupied by the departments of the Central Government), the construction which was started on or after 1st April, 1930, 19 per cent on the "works outlay" for the purpose mentioned in clause (c) above and in the case of old buildings constructed prior to 1st April, 1930, to which improvements involving increase of capital cost were started and carried out on or after 1st April, 1930, 19 per cent of such increase.

**Note 2** — In the case of residential buildings occupied by officers of commercial departments, rents will be fixed and recovered by the Roads and Buildings Departments in accordance with the rules in Section B of this chapter as may be modified from time to time.

**Note 3** :— When buildings borne on the accounts of Irrigation, Navigation, Drainage and Flood Control Projects for which capital and revenue accounts are kept are used for general purposes by other departments of Government, rent in accordance with the above rule shall be recovered from the department using the building.

**246.** Public buildings let to private individuals should not be altered or enlarged At Government expense to suit the tenant, and persons occupying public buildings on rent are prohibited from making and alterations even at their own expense, except with the express concurrence of the Executive Engineer. The fact of any additions or alterations being made by the tenant confers no right of ownership on him, nor can the fact of the occupant having made additions or alterations at his own expense be considered as giving him any claim to a set-off against, or diminution of rent. These conditions should be entered in the agreement or lease — vide Appendix XIII.

**Note .1**:—The agreement form is a general one and does not preclude Superintending Engineers from inserting any special considerations which may be found desirable in the case of particular buildings or individuals. Such conditions should be inserted in consultation with the Government Solicitor.

**Note 2** :—In cases in which the rent proposed to be recovered inclusive of municipal or other taxes, which are payable in respect of the premises and which will be borne by the 'lessor', i.e., the Government, clause (2) in Paragraph 2 of the standard form should be omitted.

**Note 3** :—The lease agreement referred to above should be written on a stamped paper and the cost of the stamp be borne by the lessee. The agreement need not be registered.

**247.** No public building in the charge of the Executive Engineer may be occupied as private residence without his consent, except under the orders of his departmental superior or of the State Government.

**248.** On no account is any church, chapel, mosque, temple, tomb, or other building devoted to religious use, to be occupied as a dwelling house or for any other purpose, without the consent of the persons interested and the sanction of the principal civil or political authority on the spot — see also Paragraph 19.

## VI. Custody of vacant Government Buildings

**249.** Whenever a public building which is not borne on the registers of the Public Works Department falls vacant, it should be handed over to the custody of the Revenue Department by the occupying department. If it is considered desirable, for any special reason, to transfer the building to the charge of the Roads and Buildings Department, orders of Government should be obtained. Public buildings borne on the registers of the

Roads and Buildings Department should be handed over to the Roads and Buildings Department when vacated.

### **VII. Taxes**

**250.** The rules for the payment of municipal and local taxes on buildings in the occupation of departments of the Andhra Pradesh Government or of Government servants under the administrative control of the State Government are given in Article 120 of the Andhra Pradesh Financial Code, Vol. I.

Provision for the payment of municipal or other taxes on public buildings should be made in the annual repair estimates in the cases indicated in Article 120 of the Andhra Pradesh Financial Code, Vol. I.

**251.** The Postmaster-General, Andhra Pradesh Circle, is responsible for the propose assessment, recovery and accounting of rents on residential buildings of the Post and Telegraph Department borne on the registers of the Andhra Pradesh Roads and Buildings Department and the claims and recovery of rents from occupants of such buildings will be audited and accounted for by the Deputy Accountant-General, Post and Telegraphs.

### **VIII. Remission of Municipal Tax for vacant Buildings and for Buildings wholly or partly demolished**

**252.** (i) Whenever a Government building (residential or non-residential) is likely to fall vacant, the occupant of the building immediately before the actual vacancy occurs or the head of the office to which the occupant belongs, should, on the date on which the building falls vacant, give notice of the vacancy direct to the Chairman of the Municipal Council concerned or the Commissioner of the Corporation of Hyderabad, the President of the Panchayat Board concerned as the case may, a copy of such notice being simultaneously sent to the Executive Engineer of the division concerned to enable him to claim remission. The head of the office mentioned above shall take similar action on the first day of every succeeding half-year, if the building continues to be vacant even then. The Executive Engineer shall thereafter, in due course, claim remission of municipal or house-tax in case when the vacancy lasted for thirty or more consecutive days under Section 87 of the A.P. District Municipalities Act, 1965, or the A.P. Gram Panchayats Act, 1964, or for sixty or more consecutive days under Hyderabad Municipal Corporation Act, 1955 as the case may be. The officer paying the tax for a vacant building should ascertain that remission of tax has been claimed for the period that the building was vacant.

(ii) In the case of vacant buildings which are taken over by the Roads and Buildings Department from other departments and which continuous to remain in the charge of the Roads and Buildings Department, it shall be the duty of the Section Officer concerned to give the necessary notice of the vacancy of the buildings to the local body concerned immediately they are taken over and thereafter on the first day of every half-year, if the buildings continue to be vacant then, a copy of such notice being simultaneously sent to the Executive Engineer concerned.

(iii) When a Government building (whole or part) is demolished or destroyed, the Executive Engineer concerned should immediately give the requisite notice to the Municipality or Corporation, or Panchayat concerned and obtain remission of property-tax under Andhra Pradesh Municipalities Act, 1965, Hyderabad Municipal Corporation Act, 1955, the Andhra Pradesh Gram Panchayats Act, 1964.

### **VIII-A. Taxes on New Buildings**

**253.** (i) Under Hyderabad Municipal Corporation Act, 1955, A.P. Municipalities Act, 1965, and Andhra Pradesh Gram Panchayat Act, 1964, intimation should be given to the local body concerned about the construction of a new building or the reconstruction of a building within thirty days from the date of completion or occupation whichever is earlier. This intimation shall, in the case of buildings (residential and non-residential) on which the Roads and Buildings Department will have to pay the property tax, be given by the Executive Engineer concerned. In the case of other buildings, on which the Roads and Buildings Department will not have to pay the property tax, the intimation to the Corporation, Municipality, Panchayat shall be given by the occupants or the heads of offices will have to pay the tax on the buildings.

(ii) In order to avoid delays in the assessment and payment of municipal taxes on new buildings constructed by the Roads and Buildings Department, the corporation or the local body, as the case may be, shall be informed by the Executive Engineer of the cost of a new building within six months of its completion. In cases where it is not possible to close the account of a work within six months of its completion provisional figures of cost, so far as can be made out at the time, shall be given by the Executive Engineer so that the assessment may be calculated on these figures subject to revision when the final figures of cost are available.

### **IX. Sanitary and Water-Supply Installation**

**254.** All works and repairs in connection with sanitary installations and water supply to the Government buildings should be carried out by, or through the agency of, the Roads and Buildings Department, except in special cases under the orders of the State Government.

### **X. Electrical and Sanitary Works**

**255.** Whenever a new building is constructed or an existing building is extended or improved in a place where there is public supply of electricity available and it is contemplated to provide an electric installation in the building, the estimate should provide for it.

As soon as the administration approval to a building is obtained and the detailed building plans are approved, the Executive Engineer should communicate a copy of the approved plans to the Electrical Engineer (General). The Electrical Engineer (General) should without delay and in consultation with the Head of the Department concerned prepare detailed estimates and plans for full electrical equipment required and obtain the countersignature of the Head of the Department on the plans and estimates. The Electrical Engineer (General) should then obtain the technical sanction of the higher authority if and where such technical sanction is necessary. A copy of the approved plans and estimates should then be sent to the Executive Engineer incharge of the construction work.

Similarly, the Executive Engineer concerned will have detailed designs and estimates prepared in consultation with the Head of the Department and also where necessary with engineering specialist firms, for all constructions, and fittings in connection with water supply, sanitation and drainage required. If, in any case, it is considered necessary to consult the Sanitary Engineer where his specialised knowledge is essential, the Sanitary Engineer will prepare detailed estimates and designs for such items in consultation, where necessary, with the Engineering specialist firms.

The detailed plans and estimates for sanitary and water-supply installations are to be countersigned by the Head of the Department who will be at liberty to consult any officer of his department and who may also send a representative to the office of the Electrical Engineer (General) and to the office of the Executive Engineer, respectively, to scrutinize the plans during preparation.

After such detailed plans and estimates for the electrical and sanitary installations are obtained, the Executive Engineer should incorporate them in the detailed plan for the building work and obtained competent technical sanction. The actual construction work need not wait until this final sanction is ready. It should be started as soon as technical sanction to the building work is obtained.

As soon as the final plans and estimates incorporating details of electrical and sanitary installations, are ready, copies thereof should be sent to the Electrical Engineer, who will, in cases where tenders have to be called for, take necessary action in close consultation with the Executive Engineer as regard the time when he should call for tenders and start the electrical work. The Executive Engineer should similarly settle at an early date the time when work on sanitary and electrical installation should be commenced. Tenders for the building, sanitary and electrical installations should all be called for in proper order in a co-ordinated programme, which should be settled by the Executive Engineer at the commencement of execution of the work to ensure that the use of the building is not delayed on account of failure of the sanitary and electrical contractors to complete their works in time.

It is imperative that there should be close co-ordination between the work of the Government servants concerned so that at no time is any delay allowed to occur in the preparation of plans and estimates, in obtaining technical sanction, in calling for tenders and in the actual execution of the works concerned. The Superintending Engineer of the Circle in which the building is situated will be responsible for seeing that the various works are carried out at the proper time and that unnecessary delay is avoided and he will be held personally responsible for seeing that the above instructions are carried out.

**Execution — Original Works** :—Private agency should be employed wherever possible for the carrying out of all original works including minor works. Departmental construction which involves the accumulation of stores and the employment of special establishment should be avoided, Tenders should invariably be invited when the amount involved in a particular contract is Rs. 2,500 or more.

**Repairs (Maintenance)** :—Wherever private agency is available, it should be employed. Tenders should be invited for the purpose when the cost of repairs is Rs. 2,500 or more. Departmental maintenance should be resorted to only where no reliable firms tender, or where their tenders are excessive. Departmental repairs should, as a rule, be confined to small items.

In all cases, the contractors should be required to base their tenders on proper specifications, etc., of the department.

In places where electric supply is available to the public, payments may be made in advance for service connections to Government buildings, if the supply agencies demand such advance payment.

**256.** In cases where heads of departments desire to carry out electrical works departmentally, the previous approval of Government should be obtained. After such approval

has been accorded, they may have detailed plans and estimates prepared through any competent agency, may themselves call for tenders and have the works executed by suitable agency. Technical advice required for assistance needed in the execution of the Works will be given by the Electrical Engineer.

The expenditure in connection with electrical works executed through private agency by heads of departments should be borne by the departments concerned — see Paragraph 95-97 *ibid.* Heads of Departments should, however, intimate to the Executive Engineer concerned the charges incurred in the Civil Department on account of original works, extensions and improvements and repairs separately in order that he may maintain his capital accounts correctly.

**Note (1)** :—As a general rule, the Executive Engineers concerned shall have charge of the electrical installations in all Government buildings whether borne on the Roads and Buildings Department books or not [except those which are maintained under the control of the Electrical Engineer (General) and Superintendents of Jails and Borstal Schools and Certified Schools] and shall carry out the repairs and small extensions thereto with the help of the electricians or wiremen employed under them. The expenditure on works executed in any building by Executive Engineers should be met from funds provided in the Roads and Buildings Department Budget.

(2) The replacement of electric bulbs including fluorescent tubes only in non-residential buildings, in cases of failure of the lights due to defects in the bulbs themselves should be attended to by the occupying departments.

(2-A) [The Departments occupying non-residential buildings can purchase the electric bulbs including fluorescent tubes locally as per their requirements on the rate contract basis or calling for the quotations and accepting the lowest and debit the cost to their contingent grant].

[Memo.No. 1725 Y/677, Dt. 27-3-1968 ; Memo.No. 947/Codn./72-IO, Dt. 4-8-1973]

(3) In respect of the electrical installations in the Raj Bhavans at Hyderabad and Horsley Hills and the Legislator's Hostels however, the Electrical Engineer (Gl.) will himself prepare the indents and supply electric bulbs including fluorescent tubes debiting their cost to the P.W.D. budget.

[Memo.No. 947/Codn./72-IO, Dt. 4-8-1973]

## **XI. Buildings of Historical Interest**

**257.** Buildings and ancient monuments of historical or archaeological interest will be borne on two lists—

(i) those that are declared protected under the Ancient Monuments Preservation Act, maintained from Central Revenues ; and

(ii) those maintained from State Revenues.

**258.** It is the duty of Executive Engineers to arrange for a systematic inspection of all such buildings and monuments in their divisions and to frame estimates for their repairs. Archaeological Officers will advise on the proposals submitted by Officers of the Department, will recommend the order of precedence, will themselves suggest work of restoration, and will pass the plans of all work, estimated for before they are carried out by the Roads and Buildings Department. During the execution of a work, the Archaeological Officer will assist the department by their advice.

**Note 1** :—The cost of providing and maintaining approach roads to ancient monuments should be a State charge.

- Note 2** :— Revenue derived from the bungalows within the forts at Chandragiri and Gurramkonda in the Chittoor district (Chittoor Division) should be credited to Central Revenues.
- Note 3** :— Repairs to ancient monuments and temples not included in the standard list should not be carried out without the prior sanction of Government being obtained thereto.
- Note 4** :— In the case of repairs to ancient monuments it is not necessary to obtain the specific sanction of Government to the distribution of cost between the Government and the custodians of the temples or monuments, but it is sufficient if the amounts to be spent on such works from Government funds are shown in the budget submitted by the Superintendent Engineer to the Chief Engineer and are approved by the Government.
- Note 5** :— The Superintendent, Archaeological Survey of India, Southern Circle, is empowered to sanction re-appropriations of funds between all conservation works against sanctioned estimates not exceeding Rs. 2,500 whether for special repairs or annual repairs and maintenance subject to the condition that no re-appropriation should be made in respect of any work to be executed by the Public Works Department without previously obtaining the consent of that department.

## **XII. Use of Government Buildings by Auxiliary Forces**

**259.** The arrangements made with the concurrence of the Government of India, under which Auxiliary Forces are allowed to occupy buildings on the condition of keeping them in repair, or to make additions and alterations to buildings on which Government retain a line, need not be distributed.

## **XIII. Inspection of Public Buildings**

**260.** (a) Every public building borne on the Roads and Buildings Department registers should be carefully examined once every year by the officers of the Roads and Buildings Department as indicated below, such inspections being made in respect of soundness or otherwise of the roof and floor timbers in the buildings and in respect of their general condition, as laid down in Chief Engineer's Circular No. 1737/Ac./37, C.P., dated 31st August, 1937, which is reproduced at the end of this paragraph :—

(i) Section Officers to inspect once every year all buildings costing Rs. 25,000 and below, both residential and non-residential within their jurisdiction.

(ii) Sub-divisional Officers to inspect every year all buildings in their jurisdiction, costing above Rs. 25,000 and not below Rs. one lakh.

(iii) Executive Engineers to inspect every year all the buildings in the Division costing above Rs. one lakh. (G.O.Ms.No. 4, Tr., R. & B. (Cl), Dt. 4-1-1977)

**Note** :— The class of officer who is competent to inspect public buildings should be determined with reference to the cost of each individual building and in doing so, each of the subsidiary buildings appended to a main building in a compound should be taken into consideration separately.

(b) Every public building not borne on the Roads and Buildings Department register costing Rs. 10,000 or more should also be inspected by the Roads and Buildings Department Offices in the prescribed manner once in three years. In the case of such buildings costing less than Rs. 10,000 arrangements for their inspection will be made by the head of the department concerned. If for any reason, a Gazetted Officer of a civil department considers, after inspection of a building that investigation by an Engineer is necessary, he will move

the Executive Engineer of Roads and Buildings Department division to depute a suitable officer to inspect the building.

**Note** :—This inspection of building costing of Rs. 10,000 or more by the Public Works Department Officers, will not apply to the Electricity Department.

(c) The Executive Engineers, the Sub-divisional Officers and the Section Officers should record notes of their inspections in separate registers to be maintained by each of them.

All these registers should be shown to the Superintending Engineer during his annual inspection of Division Officers.

(d) Executive Engineers should inspect, as often as possible, buildings which show cracks or definite signs of deterioration and take early steps to effect the necessary improvements thereto.

### INSTRUCTION

*(Chief Engineer's Circular Memorandum No. 1737/Ac/37, C.P., Dt. 31-8-1937)*

A case has recently occurred in which a Government building in Madras over 75 years old suddenly collapsed, resulting in the loss of five lives. After careful enquiry and examination, it was found that the collapse was not due to defective roof or floor timbers (they were all in good condition), but must have been due to the fact that some of the masonry piers supporting the roof and floor were carrying a weight greater than bad brickwork could be expected to carry. Calculations of the loads carried by these piers showed that they were in excess of what is allowed, nowadays on brick masonry. Though they exceeded the safe working load now allowed, the piers could have borne the load without crushing if the brickwork was good. Examination of the portions of the piers left-standing showed that the brick-work was very poor, the bricks were bad and were badly laid in poor mortar. The piers must have suddenly collapsed by crushing and this collapse brought down the floors and roofs they were supporting and the fall of these in turn brought down other portions of the building. There was no indication that the piers were unduly stressed. There were no cracks or any other indication and the piers looked quite sound. There was no reason whatever for suspecting that they were overloaded.

2. Cases of collapse of Government buildings, as described above, are very rare, But his case forcibly illustrates the necessity for periodic and close examination of buildings, especially old ones. The existing orders require the regular inspection of buildings by officers and subordinates of this department with reference to their safety as affected by the condition of roof and floor timbers — vide Chief Engineer's Memorandum Nos. 3038- C, dated 2nd July, 1898, 3156-C, dated 15th July, 1899, 304-C, dated 12th January, 1920, 3236, Wks/28-C.P., dated 1st September, 1928 and 1738-A, D/32-37, dated 6th October, 1932. This is ordinarily a sufficient and reasonable precaution. But the officers of this department should in additional also examine the building carefully. They should be on the lookout for cracks, even slight ones, or other signs of failure ; and if any such are noticed, they should forthwith investigate the causes and take sufficient precautionary measures, wherever necessary, to ensure the safety of the buildings. They should investigate any cases of overloading of pillars and walls that they notice and should be on the lookout for such. In many old buildings posts are overloaded and anybody of experience who keeps his eyes open should be able to detect such. The Chief Engineer realises that it is not economically practicable to examine all old buildings in detail as to the theoretical stability

of the various parts of their masonry structure, but still considers it necessary to impress upon all ranks of the department the imperative necessity of periodic inspection of all Government buildings with reference to the instructions laid down in the above mentioned circulars and particularly to the instructions given above.

3. The Chief Engineer hereby also directs that in future, whenever it is proposed to acquire a private buildings for Government purposes, the stability of the masonry of the building should be especially examined as well as that of its timbers. A report of this examination and the results thereof should always be sent with the proposals for the acquisition of the building. Generally, it is a bad policy to acquire the old or indeed any private buildings badly built as most of them are.

#### **XIV. Registers and Plans of Buildings**

##### *(a) Register of Buildings*

**261.** Each Superintending Engineer will keep a register in the Form approved in G.O.Ms.No. 2566, Public Works Department, dated 29-9-1958 of all buildings incharge of the department within his circle and each Executive Engineer a similar register of all the buildings within his division. In these registers the value of the land comprised in a property will be shown separately from the value of the building or buildings thereon; the value of each separate structure being also shown separately. In the case of a purchased property the price will be apportioned between the various items comprising the property, e.g., land, main building, servant's quarters, compound wall, well, etc. the registers will also show whether the building is to be maintained at the cost of Central or Provincial funds. The portion of the registers relating to churches should be kept in Public Works Department, Form No. 137, the value of land separate structures being shown separately as indicated above.

**[Sub-para is deleted as per G.O.Ms.No. 486, P.W.D. (Code), Dt. 17-5-1974.]**

##### *(b) Plans of Buildings*

**262.** In case of buildings and works borne on the returns of the Public Works Department, the Executive Engineer will be held responsible that plans of such buildings are corrected on completion of any alteration.

#### **B — RESIDENCES FOR GOVERNMENT OFFICIALS**

**263.** The rules regulating the provision of residences for Government officials are laid down in Fundamental Rules, 45, 45-A, 45-C, which together with the State Government's subsidiary rules are reproduced below for convenience of reference. The rules apply to residences leased, acquired or constructed at the expense of the State Government and supply to an officer under its administrative control. They apply also to residences belonging to the Central Government but under the control of the State Government acting as agent to the President, which are supplied by the State Government to Government servants under its administrative control but paid from Central revenues.

**Note 1** :—When an officer of the Central Government occupies, by official arrangement, a residence provided by the State Government, the latter Government shall claim no more than the rent which would be recoverable from the officer, under these rules, if he were serving under its administrative control.

**Note 2** :—Installation of ceiling fans in Government owned residential buildings shall be subject to the following provisions namely

- (i) Provision of fans in Government buildings for Gazetted Officers be allowed according to the scale laid down in Appendix—XXXII subject to the payment of a monthly rent at a flat rate of Rs. 2.25 np. per fan (large or small). This shall be in addition to the rent of the building payable by the tenant. The recovery of rent should take effect from the date of installation of the fans. In the case of buildings in which the fans were installed prior to the orders in G.O.Ms.No. 15, P.W.D., Dt. 4-1-1969, the recovery should take effect from 1-10-1961.
- (ii) Installation of one small size ceiling fan in Government owned non-Gazetted Officers residential quarters also shall be allowed only in the case of non-Gazetted Officers above Class IV on the same terms laid in clause (i) above.
- (iii) The installation of ceiling fans will be made at the request of the occupant in writing and the installation once made shall not be removed.
- (iv) Specific orders of Government should be obtained if it is proposed to provide fans in excess of the scale prescribed in Appendix-XXIII.

#### **Extracts of Fundamental Rules 45 to 45—C**

**F.R. 45.** [The State Government] may make rules laying down the principles governing the allotment to officers serving under its administrative control, for use by them as residences, of such buildings owned or leased by it, or such portions thereof, as the Government may make available for the purpose. Such rules may lay down different principles for observance in different localities or in respect of different class of residences, and may prescribe the circumstances in which such an officer shall be considered to be in occupation of a residence.

[Subs. by G.O,Ms.No. 12, Fin. & Pig., Dt. 7-2-95]

#### **Subsidiary Rules under Rule 45**

**1. Allotment of Residences** :—(i) Buildings acquired, constructed or leased by Government for the occupants of particular post shall ordinarily be occupied by the officers holding those posts.

[(ii) Where any question is raised as to which officer has the prior title to occupy a particular house, or if no officer wishes to occupy a house, as to which officer shall be required to pay rent for it, the question shall be decided by the Collector and the Superintending Engineer sitting together. In case any difference of opinion arises between the Collector and the Superintending Engineer, the opinion of the Collector shall prevail].

[G.O.Ms.No. 242, Finance, Dt. 25-3-1963]

(iii) It will be the duty of the Executive Engineer to report every case of vacancy as soon as it is known that it is likely to arise and to take prompt steps to ensure that no house is allowed to remain vacant for a day longer than is unavoidable.

**2. Exchange of residential buildings by officers of the same station** :—Any two officers at a station may exchange the buildings allotted to them with each other as a purely private arrangement, but each officer will continue to be responsible for the rent of the building assigned to him.

**3. Sub-letting of residence** :—The sub-letting of an official residence may be permitted only under the following conditions

(i) the previous sanction of Government should be obtained for sub-letting;

(ii) the officer will still remain personally responsible for the rent and for any damage caused to the building beyond fair wear and tear;

[**Note** :—The standard licence fee payable by the allottee of the quarter should be collected from the original allottee of the quarter, with whom any other Government servant is permitted to share the accommodation, who is not eligible for such fee or compensatory allowance].

[G.O.Ms.No. 126, Finance, Dt. 3-5-1974]

(iii) Government will not recognize the sub-tenancy;

(iv) the rent to be charged by the officer to his tenant should not, except with the sanction of the State Government in special circumstances, exceed the rent paid by the officer to Government;

(v) sub-tenancy should continue only for so long as the officer who makes the arrangement holds the appointment for which the official residence is provided.

**4. Officers on leave** :—An officer who goes on leave should be held to have ceased to be in occupation of the building from the date of commencement of leave, unless, for any reason, a competent authority decides otherwise.

**Note 1** :—The local administrative head of the department may grant permission to occupy Government quarters to officers proceeding on leave on average pay not exceeding four months; in other cases the permission of the State Government is necessary.

**Note 2** —The Director of Agriculture may permit Government servants on transfer to retain upto a maximum period of one month the Government quarters allotted to them in their previous posts.

A Government servant in last grade service, whether permanent or not, proceeding on leave without allowances for a period not exceeding one month, may be permitted to occupy Government quarters during the period of leave on payment of rent concessional rates. Such permission will be granted by the authority competent to make a permanent appointment to the post held by the Government servant.

**5.** An incumbent, whether permanent or temporary, of an appointment, for whose benefit a house has been constructed or purchased or leased by Government under the conditions specified in Paragraphs 269-A and 269-B of the Public Works Department Code, will be held responsible for the prescribed rent during his tenure of the appointment. In the following cases, however, no rent will be recovered, provided, that the Head of the Department or the authority competent to make a permanent appointment to the post for the incumbent of which the house is intended furnishes a certificate to the officer responsible for the recovery of rents that the conditions laid down are satisfied

(i) when an officer is holding, as a temporary measure under Rule 49, an appointment to which a Government residence is attached, in addition to his substantive appointment and does not actually occupy the house;

(ii) when an officer in addition to the duties of such an appointment carries on the duties of another appointment which preclude him from occupying the house;

(iii) when an officer is officiating in an appointment for a period not exceeding one month and does not wish to occupy the house; and

(iv) when an officer is officiating in an appointment for a period not exceeding two months and the circumstances are such as to preclude him from occupying the house.

**Note:** —An officer who is merely discharging the current or routine duties of an appointment to which an official residence is attached is not bound to occupy it and he should not be considered as the incumbent of the appointment for purposes of recovery of rent.

**F.R. 45-A-I.** This rule applies to members of the State and Subordinate Services, members of Work charged establishments and persons paid from contingencies, holders of special posts and the members of All India Services under the administrative control of Government.

[Subs. by G.O.Ms.No. 37, Fin. & Pig. (FW FR-I) Dept., Dt. 9.3.1995]

**F.R. 45-A-II.** For the purpose of the assessment of licence fee, the capital cost of a residence owned by Government shall include the cost or value of sanitary, water-supply and electric installations and fittings and [the cost of land and expenses on its development] and shall be either :—

[G.O.Ms.No. 154, Fin. & Pig. (FW : FR.I) Dept., Dt. 1-7-1981]

(a) the cost of acquiring or constructing the residence and any capital expenditure incurred after acquisition or construction; or, when this is not known,

(b) the present value of the residence.

**Note** :—The cost of restoration or special repairs shall not be added to capital cost or present value, unless such restoration or repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character.

**Illustration** :—The cost of replacing palmyrah rafters by Karimarudu or bamboo hurdling by teakwood reapers, or lime plastering by cement plastering should not be added to the capital cost of a building. The cost of deepening a well in order to restore the normal water supply should not be added to the capital cost of a building. But the cost of replacing country tiles by Mangalore tiles, or a mud compound wall by a wall of brick in mortar plastered with cement, or a cement floor by tiles should be dealt with in accordance with clauses (a) and (b) of Paragraph 93 of the Andhra Pradesh Public Works Department Code.

Provided that—

(i) [The State Government] may make rules providing the manner in which present value of residences shall be determined.

(ii) [The State Government] may make rules determining what expenditure is to be regarded, for purpose of sub-clause (a) above, as expenditure upon the preparation of a site.

[Subs. by G.O.Ms.No. 12, Fin. & Pig. (FW: FR-I) Dept., Dt. 7-2-95]

**[Explanation** —Where the amount spent on preparation of the site in the case of old residences is not available it may be taken as ten percent of the capital cost of the structure, if such residences are double storeyed and twenty percent of the cost of the structure if the residences are single storeyed].

[G.O.Ms.No. 201, Fin. & Plg., Dept., Dt. 13-8-81, w.e.f. 1-7-1981]

#### **Subsidiary Rule under provision (ii), Rule 45-A-II**

[The expenditure incurred on such works as:-

(a) raising, levelling and dressing sites;

(b) construction of revetments, retaining walls, compound walls, fences and gates;

(c) storm-water drainage; and

(d) approach roads and paths within the compound;  
shall be regarded as expenditure upon preparation of a site].

[G.O.Ms.No. 296, Finance, Dt. 21-2-1958]

(iii) [The State Government] may, for reasons which should be recorded, authorize a revaluation of all residences of a specified class or classes within a specified area to be

conducted under the rules referred to in proviso (i) above, and may revise the capital cost of any or all such residences on the basis of such revaluation;

[Subs. by G.O.Ms.No. 12, Fin. & Pig. (FW: FR-I) Dept., Dt. 7-2-95]

(iv) the capital cost, howsoever calculated, shall not take into consideration (1) any charges on account of establishment and tools and plant other than such as were actually charged direct to the work in cases in which the residence was constructed by Government or (2) in other cases, the estimated amount of such charges;

(v) [The State Government] may, for reasons which should be recorded, write off a specified portion of the capital cost of a residence—

[Subs. by G.O.Ms.No. 12, Fin. & Pig. (FW: FR-I) Dept., Dt. 7-2-95]

(1) when a portion of the residence must be set aside, by the officer to whom the residence is allotted, for the reception of official and non-official visitors visiting him on business; or

(2) when it is satisfied that the capital cost, as determined under the above rules would be greatly in excess of the proper value of the accommodation provided;

(vi) in assessing the cost or value of the sanitary, water-supply and electric installations and fittings, the State Government may by rules determine what are to be regarded as fittings for this purpose.

**F.R. 45-A-III. The standard rent of a residence shall be calculated as follows :—**(a) In the case of leased residences, the standard rent shall be the sum paid to the lessor plus an addition determined under rules which [the State Government] may make, for meeting, during the period of lease, such charges for both ordinary and special maintenance and repairs and for capital expenditure or additional or alterations as may be charged on Government and for the interest on such capital expenditure, as also for municipal and other taxes in the nature of house or property tax payable by Government in respect of such residences.

[Subs. by G.O.Ms.No. 12, Fin. & Plg., Dept., Dt. 7-2-95]

#### **Subsidiary Rule under Rule 45-A-III (a)**

**Additions and alterations to leased residences ;—**In the event of any addition or alteration to the building being made with the consent of the owner subsequent to the signing of the lease at the request of the occupant and at Government expense, the following rules should govern the recovery of rent

(i) If the lessor agrees to take over the work done on the expiry of the lease and to pay to Government the original cost of that work less an allowance for deterioration, which should be fixed before the work is done, the standard rent will be raised so as to cover—

(a) such percentage rate as may be prescribed from time to time as the standard of return on productive irrigation works on the capital cost of additional work;

(b) the percentage or amount fixed for deterioration;

(c) the annual estimated charges for maintenance and repairs of the additional work (if repairs are executed by Government);

(ii) if the landlord refuses to accept any liability for the additional work, the standard rent will be raised so as to cover during the period of the lease—

(a) the capital sum expended, including interest at such percentage rate as may be prescribed from time to time as the standard of return on productive irrigation works;

(b) the annual estimated charges for maintenance and repairs of the additional work.

**Note** —The standard rent should be fixed when the work is completed.

In case (i) the capital cost will be held to be the total expenditure less half the amount which will be recovered on account of deterioration.

In case (ii), interest will be calculated on half the amount of the outlay.

(b) in the case of residential buildings owned by Government, the standard rent shall be calculated on the capital cost of the buildings, and shall be either—

(i) a percentage of such capital cost equal to such rate of interest as may from time to time be fixed by [the Governor] plus an addition for municipal and other taxes in the nature of house or property tax payable by Government in respect of the residence and for both ordinary and special maintenance and repairs such addition being determined under rules which the State Government may make, or

[Subs. by G.O.Ms.No. 12, Fin. & Plg. (FW FR-I) Dept., Dt. 7-2-95]

(ii) six percent per annum of such capital cost, whichever is less.

**Note** :—[*Not Printed*].

#### **Subsidiary Rule under Rule 45-A-III (b)**

The addition for maintenance and repairs under Rule 45-A-III (b)(i) shall be 2 percent per annum of the capital cost of the building including the capital cost or value of sanitary and water supply installations and fitting plus 3 ½ percent per annum of the capital cost or value of the electric installations and fittings; municipal taxes, if payable, shall be added separately.

(c) In all cases standard rent shall be expressed as standard for a calendar month and shall be equal to one-twelfth of the annual rent as calculated above subject to the proviso that, in special localities or in respect of special classes of buildings, State Government may fix a standard rent to cover a period greater than one month but not greater than one year. Where Government takes action under this proviso, standard rent so fixed shall not be a larger proportion of the annual rent than the proportion which the period of occupation as prescribed under F.R. 45 above bears to one year.

**Note 1** :—For the purpose of sub-clauses (a) and (b) above, the additions for both the ordinary and special maintenance and repairs shall not include anything for the establishment and tools and plant charges except to the extent allowed under proviso (iv) to clause II.

**Note 2** :—A State Government may by rule permit minor additions and alterations, the cost of which does not exceed a prescribed percentage of the capital cost of the building, to be made during such period as the rule determine without the rent of building being increased.

#### **Instruction under Rule 45-A-III (c)**

**Rounding of rents** :—The standard rate of rent of a building should be fixed at the nearest half-rupee or rupee according as the calculated amount is less than Rs. 5/- or otherwise. In regard to rent of Rs. 5/- and above fractions of half rupee and over should

be treated as one rupee, those below half rupee being ignored. With respect to rent below Rs. 5/-, fraction of one fourth rupee and above should be taken as half a rupee, those of three-fourth rupee and over being rounded off as one rupee.

**F.R. 45-A-IV.** When a Government supplies an officer with a residence leased or owned by Government, the following conditions shall be observed

(a) The scale of accommodation supplied shall not except at the officer's own request, exceed that which is appropriate to the status of the occupant.

(b) Unless in any case it be otherwise expressly provided in these rules, he shall pay (i) rent for the residence, such rent being the standard rent as defined in clause III above or 10 percent of his monthly emoluments, whichever is the less, and (ii) municipal and other taxes payable by Government in respect of residence not being in the nature of house or property tax.

**[Exception]** —The rate of recovery of rent from the Government employees who occupy quarters after 1-3-1979, shall be at 7 ½ % of emoluments upto a pay of Rs. 500/- and 10% of emoluments on pay above Rs. 500/- in the Revised Pay Scales, 1978. Such of those Government employees in occupation of quarters as on 1-5-1975, paying licence fee at 7 ½ % of emoluments and continuing in quarters of the same category on 1-3-1979 shall pay 5% of emoluments subject to the condition that the rent to be recovered at the reduced rate is not less than what is being recovered on 1-3-1979. Government employees in occupation of quarters after 1-5-1975 and continuing in all quarters of the same category on 1-3-1979, and paying rent at 7 ½ % or 10% as the case may be and governed by the Revised Pay Scales, 1978, shall pay the rent as detailed hereunder from 1-3-1979 subject to the condition that the licence fee to be recovered at the reduced rate is not less than what is being recovered on 1-1-1979].

[G.O.Ms.No. 96, Fin. & Plg., Dt. 22-4-1981, w.e.f. 1-3-79]

(i) Employee drawing pay upto Rs. 500/- in the Revised Pay Scales, 1978	50% of emoluments
(ii) Employees drawing pay above Rs. 500/- and below 1,500/- in the Revised Pay Scales, 1978	7 ½ % of emoluments.
(iii) Employees drawing pay above Rs. 1,500/- in the Revised Pay Scales, 1978.	10% of emoluments.

**Note 1** :— For the purpose of clauses III and IV(b)(ii) or Rule 45-A the portions of property tax levied on Government buildings by local bodies representing water, drainage, lighting and scavenging taxes shall be treated as being not in the nature of house or property tax.

[G.O.Ms.No. 415, Finance, Dt. 1-11-1961]

**Note 2** :— When two officers who are husband and wife, occupy a Government residential building, the monthly emoluments of the officers in whose favour the quarter is allotted shall be taken into account for the purpose of calculation of standard licence fee under this clause.

[Subs. by G.O.Ms.No. 147, Fin. & Plg. (FW: FR-I) Dept., Dt. 6-6-1995, w.e.f. 1-9-1994]

(c) Notwithstanding anything contained in sub-clause (b) above, [the State Government]; may—

[Subs. by G.O.Ms.No. 12, Fin. & Plg., Dt. 7-2-95]

(i) at any time, after the standard rents have been calculated under the provisions of clause III above, group a number of residences, whether in a particular area or of a particular class or classes, for the purpose of assessment of rent subject to the following conditions being fulfilled;

(1) that the basis of assessment is uniform; and

(2) that the amount taken from any officer shall not exceed 10% of his monthly emoluments.

(ii) by general or special order, provide for taking rent in excess of that prescribed in sub-clause (b) above from an officer—

(1) who is not required or permitted to reside on duty at the station at which the residence is supplied to him, or

(2) who, at his own request, is supplied with accommodation which exceeds that which is appropriate to the status of the post held by him, or

(3) who is in receipt of a compensatory allowance granted on account of dearness of living, or

(4) who is permitted to sub-let the residence supplied to him, or

(5) who sub-lets without permission the residence supplied to him, or

(6) who does not vacate the residence after the cancellation of allotment.

#### **Instructions under Rule 45-A-IV (c)(ii) (1), (2) and (3)**

[(1) When a Government servant, who is provided by the Government with a residence attached to the post held by him occupies, for his own convenience, an additional residence either at or outside the headquarters or, occupies accommodation at the headquarters in excess of that appropriate to his status the standard rent as defined in Rule 45-A III(b) or ten percent of salary or the concessional rate that may be applicable to him, whichever is least, should be recovered for the residence attached to the post held by him. The full standard rent as defined in Rule 45-A III(b) should be recovered for the additional residence or the additional accommodation occupied by the Government servant at or outside his headquarters irrespective of his salary or of the recovery of rent for the residence attached to the post held by him.

(2) When a building is leased by the State Government for an officer who is not entitled to rent free quarters, the full rent which the Government will have to pay for the building as well as any other incidental expenditure involved in securing a residence for him should be recovered in all cases from the officer occupying the building.

(3) When a Government employee who is allotted a Government quarter, for his own convenience, occupies an additional Government quarter, either at or outside the headquarter, he shall be required to pay the rent prevailing in the locality for similar accommodation belonging to the private owner as stipulated in Para 275 of A.P.P.W. "D" Code or the full standard rent as defined in Rule 45-A-III (b) whichever is higher, for the first quarter from the date on which he takes possession of the second quarter till he vacates the first quarters].

[G.O.Ms.No. 292, Fin. & Pig., Dt. 30-10-1974]

#### **Subsidiary Rule under Rule 45-A-IV**

In the case of Government servant occupying Government residential building, rent shall be recovered from them for the period of their occupation during joining time on transfers at the rate at which they are payable before their transfer.

Rent shall be recovered at the same rates from Government servants on transfer who are allowed to occupy Government residential buildings beyond their joining time because

neither the Government servants holding additional charge of the posts nor the incoming regular incumbents of the posts for whom the said buildings are intended are in need of them for the period of such extended occupation, provided that the new posts to which the Government servants are transferred do not carry higher scales of pay. In cases where the new posts to which the Government servants are transferred carry higher scales of pay, their enhanced rates of pay shall be taken into consideration for calculating rent at 10 percent of their emoluments from the actual dates of their joining the new posts.

Rent shall also be recovered at the rates specified in the first paragraph from Government servants on transfer, proceeding to new station, during their joining time and occupying the Government residential buildings attached to such posts, if vacant earlier than actually taking over charge of the new posts, for the period of such occupation during the Joining time.

**F.R. 45-A-V.** In special circumstances, for reasons which should be recorded, [the State Government],—

(a) may, by general or special order, grant rent free accommodation to any officer or class of officers, or

(b) may, by special order, waive or reduce the amount of rent to be recovered from any officer, or

(c) may, by general or special order, waive or reduce the amount of municipal and other taxes, not being in the nature of house or property tax, to be recovered from any officer or class of officers.

[Subs. by G.O.Ms.No. 12, Fin. & Pig. (FW FR-I) Dept., Dt. 7-2-95]

**Note 1** :—A sanction accorded under clause V(a) of Rule 45-A will not exempt the occupant from liability for payment or rent for water supply, sanitary and electric installations and fittings which will be charged on the basis of 60% on their capital cost except in the case of the following officers who have been exempted from the payment of such rent

[(a) Government servants drawing a pay of less than Rs. 75/- a month];

[G.O.Ms. No. 318, Finance, Dt. 16-12-1965]

[(b) Nursing staff, House Surgeons and House Physicians in hospitals].

[G.O.Ms.No. 508, Finance, Dt. 26-12-1970]

**Explanation (1)** :—The term “nursing staff” shall include matrons, ward sisters, staff nurses, pupil nurses, maternity assistants, house-keepers, Government stipended pupil, maternity assistants trained in English or in the languages of the State, female nursing orderlies and female attendants in mental hospitals when they are provided with rent-free quarters.

**Explanation (2)** :—Government servants who are entitled to rent free accommodation are not eligible for free supply of water.

[G.O.Ms.No. 508, Fin., Dt. 26-12-1970]

(c) Superior and Subordinate staff in the Government Houses.

**Note 2** :—In the case of buildings rented by the Government rent for water-supply, sanitary and electric installations should be based on the cost of the installations as estimated by the Officers of Roads and Buildings Department.

#### Instructions under Rule 45-A-V

Exemptions from payment of rent may be sanctioned, with the previous approval of Government, when a building is rendered uninhabitable by reason of extensive repairs or for any other cause and is so certified by the Executive Engineer. The latter should forward

his certificate to the Superintending Engineer who will report to Government whether partial or total remission of rent should be allowed and for what period.

In the case of buildings in charge of the Revenue Department in the Agency tracts, the certificate of uninhabitability may be furnished by the Tahsildar or the Deputy Tahsildar concerned. The certificate should be countersigned by the Assistant Agent and forwarded to Government through the Agent to the Governor. The Agent will report to Government whether partial or total remission of rent should be allowed and for what period.

When only a portion of a Government residence becomes uninhabitable, the occupant will be allowed the benefit of a remission or rent, only if the standard rent of the building excluding the proportionate rent of the portion rendered uninhabitable falls below 10% of the occupant's emoluments.

Inconvenience caused by petty or ordinary annual repairs is insufficient to warrant a remission of rent.

The total amount of rent and service taxes recoverable from any Government servant in respect of a Government residential building owned by Government shall not exceed 10% of his emoluments. Government servants entitled to rent free quarters will be exempted from the payment of service taxes. The concessional rates of rent fixed for certain Government Servants under clause VI(v) of the Manual of Special Pay and Allowances, Part I, shall be treated as the limits in force the total of rent and service taxes, i.e., service taxes shall not be recovered from the occupant in addition to the rent at the concessional rate.

**Note 1:**—Heads of the departments may sanction remission of rent under the above instruction upto a limit of Rs. 100/- in each case.

**Note 2 :**—A Government servant provided with free quarters may continue to occupy them free of rent when he proceeds on leave for a period not exceeding four months provided no substitute is appointed in his place or if a substitute is appointed, quarters are available for the substitute without any extra expense to Government. If the leave is extended beyond the four months limit, rent free occupation of the quarters must cease.

**Note 3 :**—A permanent incumbent may during absence on leave or on duty elsewhere, be permitted by the Superintending Engineer to store at his own risks, free of rent, his furniture and other belongings in his residence when both the conditions specified below are fulfilled

(1) The temporary incumbent does not require the residence and is exempted from the payment of rent for it; and

(2) Arrangements cannot be made to lease the house during the absence of the permanent incumbent.

The concession of storage of furniture and other belongings under this note, free of rent is subject to the condition that if a claim for vacancy remission of property-tax becomes inadmissible consequent on such storage, an amount equal to be the vacancy remission of tax that would otherwise have accrued is recovered from the Government servant concerned

Provided that if a claim for vacancy remission of property-tax or taxes for specific services such as water, electricity, scavenging, etc., becomes inadmissible, consequent on the storage of furniture etc., an amount equal to the vacancy remission of taxes that would otherwise have accrued shall be recovered from the Government servant who enjoyed the concession;

Provided, further that the permission for storage of furniture etc., free of rent shall be given for a limited period not exceeding eight months.

**Note 4** :—The consent of the Finance Department may be presumed to have been given to all sanctions accorded by Government under this instruction.

**F.R. 45-A-VI.** If a residence is supplied with services, other than water-supply, sanitary or electric installations and fittings, such as furniture, tennis court, or garden maintained at the cost of Government, rent shall be charged for these in addition to the rent payable under clause IV. The tenant will also be required to pay the cost of the water, electric energy, etc., consumed. [The State Government] may make rules prescribing how the additional rent and charges shall be determined and such rules may also authorise the remission or reduction of the additional rent or charge in special circumstances for reasons which should be recorded. [Subs. by G.O.Ms.No. 12, Fin. & Plg. (FW: FR-I) Dept., Dt. 7-2-95]

**Note** :—The Government of India have decided that the value of the site should be excluded in calculating the additional rent to be charged for special services under this rule which involve the provision of additional site.

#### **Subsidiary Rules under Rule 45-A-VI**

[*Not Printed*].

**F.R. 45-A-VII.** [The State Government] may be rule prescribe that this rule shall apply, with effect from any date not earlier than the 1St of April, 1924, to any Government servant or class-I Government servants other than those mentioned in the rule.

[Subs. by G.O.Ms.No. 12, Fin. & Plg. (FW: FR-I) Dept., Dt. 7-2-95]

#### **Subsidiary Rules under Rule 45-A-VII**

Rule 45-A and the subsidiary rules thereunder shall, with effect from 1st April, 1924, apply to members of State and Subordinate Services and to the holders of special posts.

**Note** :—Members of the work-charged establishment and menials paid from contingencies will be considered as coming within the scope of this subsidiary rule.

**F.R. 45-A-VIII.** [*Omitted by G.O.Ms.No. 30, Fin. & Pig. (FW: FR-I) Dept., Dt. 2-3-95*]

**F.R. 45-B.I.** This rule applies to Government servants other than those to whom Rule 45-A applies or is made applicable under the provisions of clause VII of that rule, or than those occupying residences belonging to the Indian Railway, or rented at the cost of railway revenues.

**B.II.** For the purposes of sub-clause (b) of clause III, the capital cost of a residence owned by Government shall not include the cost or value of such special services and installations (including furniture, tennis courts and sanitary, water-supply or electric installations and fittings) as it may contain; and shall be either—

(a) the cost of acquiring or constructing the residence, including the cost of site and its preparation and any capital expenditure incurred after acquisition or construction; or, when this is not known,

(b) the present value of the residence including the value of site.

**Note** —The cost of restoration or special repairs shall not be added to capital cost or present value, unless such restoration or repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character.

Provided that—

(i) [The State Government] may make rules providing the manner in which the present value of residences, including sites, shall be determined;

(ii) [The State Government] may make rules determining what expenditure is to be regarded for the purpose of sub-clause (a) above as expenditure upon the preparation of a site;

(iii) [The State Government] may, for reasons which should be recorded, authorise a revaluation of all residences of a specified class or classes within a specified area to be conducted under the rules referred to in proviso (i) above, and may revise the capital cost of any or all such residences on the basis of such revaluation;

(iv) The capital cost, howsoever calculated, shall not take into consideration (1) any charges on account of establishment and tools and plant other than such as were actually charged direct to the work in cases in which the residence was constructed by Government, or (2) in other cases, the estimated amount of such charges;

(v) [The State Government] may, for reasons which should be recorded, write off a specified portion of the capital cost of a residence—

(1) when a portion of the residence must be set aside, by the Government servant to whom the residence is allotted, for the reception of official and non-official visitors visiting him on business, or

(2) when it is satisfied that the capital cost, as determined under the above rules, would be greatly in excess of the proper value of the accommodation provided;

(vi) In assessing the cost or value of the sanitary, water supply and electric installations and fittings, [the State Government may, by rules, determine what are to be regarded as fittings for this purpose.

**B.III.** The standard Licence Fee of a residence shall be calculated as follows :—

(a) In the case of leased residences, the standard Licence Fee shall be the sum paid to the lessor, plus an addition determined under rules, which [the State Government] may make, for meeting, during the period of lease, such charges for both ordinary and special maintenance and repairs and for capital expenditure on additions or alterations as may be a charge on Government and for the interest on such capital expenditure, as also for municipal and other taxes in the nature of house or property tax payable by Government in respect of such residence.

(b) In the case of residences owned by Government, the standard Licence Fee shall be calculated on the capital cost of the residence, and shall be a “percentage of such capital cost equal to such rate of interest as may from time to time be fixed by [the Governor] plus an addition for municipal and other taxes in the nature of house or property tax payable by Government in respect of the residence and for both ordinary and special maintenance and repairs, such addition being determined under rules which [the State Government] may make.

(c) In all cases, standard Licence Fee shall be expressed as standard for a calendar month and shall be equal to one-twelfth of the annual Licence Fee as calculated above,

subject to the proviso that, in special localities or in respect of special classes of residence [the State Government] may fix a standard Licence Fee to cover a period greater than one month but not greater than one year. Where the State Government takes action under this proviso, standard Licence Fee so fixed shall not be a larger proportion of the annual Licence Fee than the proportion which the period of occupation as prescribed under clause I above bears to one year.

[G.O.Ms.No. 12, Fin. & Plg. (FW FR-I) Dept., Dt. 7-2-95]

**Note I** :—For the purpose of sub-clauses (a) and (b), above, the additions for both ordinary and special maintenance and repairs shall not include anything for the establishment and tools and plant charges, except to the extent allowed under proviso (iv) to clause II.

**Note 2** :—The State Government may by rule permit minor additions and alterations, the cost of which does not exceed a prescribed percentage of the capital cost of the residence, to be made during such period as the rule may determine, without the licence fee of the residence being increased.

**B.IV.** When Government supplies a Government servant with a residence leased or owned by Government, the following conditions shall be observed

(a) The scale of accommodation supplied shall not, except at the officer's own request, exceed that which is appropriate to the status of the occupant.

(b) Unless in any case, it be otherwise expressly provided in these rules, he shall pay (i) Licence Fee for the residence, such Licence Fee being the standard Licence Fee and defined in clause III above or 10 percent of his monthly emoluments whichever is the less; and (ii) municipal and other taxes payable by Government in respect of the residence not being in the nature of house or property tax.

(c) Notwithstanding anything contained in sub-clause (b) above [the State Government] may—  
[G.O.Ms.No. 12, Fin. & Plg. (FW : FR-I) Dept., Dt. 7-2-95]

(i) at any time, after the standard Licence Fee have been calculated under the provisions of clause III above, group a number of residences, whether in a particular area, or of particular class or classes for the purpose of assessment of Licence Fee subject to the following conditions being fulfilled :—

(1) that the basis of assessment is uniform; and

(2) that the amount taken from any Government servant shall not exceed 10 percent of his emoluments;

(ii) by general or special order, provide for taking a Licence Fee in excess of 10 percent of his emoluments from a Government servant—

(1) who is not under its own administrative control, or

(2) who is not required or permitted to reside on duty at the station at which the residence is supplied to him, or

(3) who, at his own request, is supplied with accommodation which exceeds that which is appropriate to the status of the post held by him, or

(4) who is in receipt of a compensatory allowance granted on account of dearness of living.

#### **Instructions under Rule 45-B-IV**

When a building is leased by the State Government for an officer who is not entitled to licence fee free quarters, the full license fee which the Government will have to pay for

the building as well as any other incidental expenditure involved in securing a residence for him should be recovered in all cases from the officer occupying the building.

**B.V.** In special circumstances, for reasons which should be recorded, [the State Government]-  
[G.O.Ms.No. 12, Fin. & Plg. Dt. 7-2-95]

(a) may, by general or special order, grant Licence Fee free accommodation to any Government servant or class of Government servants, or

(b) may, by special order waive or reduce the amount of Licence Fee to be recovered from any Government servant.

**B.VI.** If a residence is supplied with one or more of the following or similar services, furniture, installations (including fittings) for water or electricity supply or for sanitary purposes, tennis court, or garden maintained at the cost of Government, Licence Fee shall be charged for these in addition to the Licence Fee payable under clause IV. The tenant will also be required to pay meter hire and the cost of the water, electric energy, etc., consumed. [The State Government] may make rules prescribing how the additional Licence Fee and charges shall be determined, and such rules may also authorise the remission or reduction of the additional Licence Fee or charge in special circumstances for reasons which should be recorded.

[G.O.Ms.No. 12, Fin. & Pig. (FW : FR-I) Dept., Dt. 7-2-95]

**B.VII.** [*Not Printed*].

**F.R. 45-C.** For the purposes of Rule 45-A 'emoluments' means—

(i) pay;

[(i-a) dearness pay];

[G.O.Ms.No. 189, Finance, Dt. 29-7-1975]

(ii) payments from general revenues and fees, if such payments or fees are received in the shape of a fixed addition to monthly pay and allowances as part of the authorized remuneration of a post;

(iii) compensatory allowances other than travelling allowance, uniform allowance, outfit allowance, special outfit allowance, uniform grant, and grant for horse and saddlery, compensatory allowance allowed in lieu of residential attender whether drawn from the Consolidated Fund of India or of a State or from a local fund;

[G.O.Ms. No. 139, Finance, Dt. 16-6-1981]

(iv) [*Not Printed*];

(v) pension, other than a pension drawn under the provisions of Chapter XXXVIII, Civil Service Regulations, or compensation received under the Workmen's Compensation Act, 1923, as subsequently amended;

[*Note* —The amount of pension to be taken into account will be the amount originally sanctioned i.e., before commutation, if any, and will also include the pension equivalent of deathcum-retirement gratuity and other forms of retirement benefits, if any e.g., Government's contribution to a Contributory Provident Fund, commuted value of pension, etc.]

[G.O.Ms.No. 1328, Finance, Dt. 7-3-1960]

(vi) in the case of a Government servant under suspension and in receipt of a subsistence grant, the amount of the subsistence grant, provided that, if such Government servant is subsequently allowed to draw pay for the period of suspension, the difference between the rent recovered on the basis of the subsistence grant and the rent due on the basis of the emoluments ultimately drawn shall be recovered from him.

[It does not include allowance attached to the Indian Police Medal].

[Subs. by G.O.Ms.No. 37, Fin. & Pig. (FW FR-I) Dept., Dt. 9-3-1995]

**Note 1** :—The emoluments of a Government servant paid at piecework rates shall be determined in such manner as the State Government may prescribe.

**Note 2** :—The emoluments of an officer on leave mean the emoluments drawn by him for the last complete calendar month of duty performed by him prior to his departure on leave.

**Note 3** —The Government of India have held that in cases in which a portion of the pension has been commuted the term “pension” occurring in the rule means the full sanctioned pension prior to commutation.

[**Note 4** —The percentage rate of Dearness Allowance sanctioned from time to time shall not be reckoned as emoluments. However, in respect of Government servants who do not opt to the Revised Pay Scales, 1978 and remain in pre 1978 scales of pay, dearness allowance admissible at the rate which existed as on 1-4-1978 appropriate to the basic pay in that scale shall be reckoned as emoluments].

[G.O.Ms. No. 196, Fin. & Pig., Dt. 22-4-1981, w.e.f. 1-3-1979]

**Note 5** :—Family Pension granted to a Government servant shall not be reckoned as emoluments for purposes of recovery of rent under this rule,

#### **Subsidiary Rule under Rule 45-C**

The emoluments of a Government servant paid at piece-work rates will be the total emoluments actually earned, by the Government servant during the calendar month.

### **C - CONSTRUCTION, ACQUISITION OR LEASING OF RESIDENCES FOR GOVERNMENT OFFICIALS**

#### **I. General**

**264.** Residences may be leased, built or purchased by Government—

(i) When it is the recognized duty or established custom of the Government to provide quarters at Government expense.

(ii) When it is necessary on public grounds; for the officer to reside on or close to, the premises in which his duties have to be performed, such as a jail, a police station, or school, factory, etc.

(iii) When it is necessary to provide residences in parts of the country where no civil station or cantonment exists, and where a lengthened term of residence would render camp accommodation on unsuitable e.g., buildings along lines of roads or canals, for the housing of officials employed on their construction or maintenance.

(iv) When it is shown to the satisfaction of Government that suitable house accommodation for officers whose appointments are permanent in respect of locality is not available in a civil station or cantonment already in existence, or is available only under circumstances which will be likely to place such officers in an undesirable position in relation to house proprietors.

**265.** Before submitting a proposal to Government for the construction of a residence for a Government official, the head of the department concerned should consider whether the requisite accommodation cannot be more conveniently provided by taking an existing building on lease with the sanction of Government. Every such proposal for the leasing of such buildings should show clearly—

- (i) the sum payable annually to the lessor;
- (ii) whether all repairs will be executed by the lessor, and if not;
- (iii) the estimated annual charges for maintenance and repairs, if they are to be executed by Govt.
- (iv) in cases in which Government is liable to pay the municipal taxes, the amount of such taxes;
- (v) the standard rent of the residence under Fundamental Rule 45-A-III; and
- (vi) the average emoluments of the officer for whom the residence is proposed and the maximum rent recoverable from him.

The proposals should show distinctly that the scale of accommodation is not in excess of that which is appropriate to the status of the officer.

The lease should originally provide that the lessor will execute all structural repairs before the building is occupied and will carry out all necessary conditions, alterations and repairs.

**266.** All proposals to Government to construct or purchase a residential building for Government servant when it is not possible to take an existing building on lease under the conditions of Paragraph 265 should contain full information on the following points:

- (i) that the conditions of Fundamental Rule 45-A-VI(a) will be fulfilled;
- (ii) the probable capital cost, the average annual cost of maintenance including taxes and the standard rent under Fundamental Rule 45-A-III.
- (iii) the average emoluments of the officer for whom the quarters are constructed.

**267.** As a rule no proposal should be made for the supply of accommodation in excess of a scale appropriate to the status of the occupant. Subject to this main principle, every proposal should as far as possible be so formulated that the standard rent does not exceed the maximum rent ordinarily recoverable from the occupant under the fundamental rule.

## **II. Classification of Residential Buildings**

**268.** For the purpose of the foregoing rules Government residential buildings will be divided into two Classes

**Class I** —Buildings which will ordinarily be occupied by officers liable to pay the full standard rent subject to the limit of 10 per cent of their emoluments. (See Fundamental Rule 45-A-IV(b))

**Class II:**—Buildings from which recovery of the full standard rent is not expected, i.e., buildings which will ordinarily be occupied by officials who are entitled to accommodation rent free or at rates reduced under Fundamental Rule 45-A-V.

**Note 1** :— The fact that a building of Class I is occasionally occupied by a tenant who is entitled to accommodation rent-free or at a reduced rent, will not justify its removal from Class I to Class II, and vice versa a building in Class II should not be transferred to Class I whenever it is occupied by a tenant who may be required to pay rent in accordance with the rules. Buildings should be transferred from one class to the other only when there is a permanent change in the conditions under which they will

ordinarily be rented. Transfers should be made only under the orders of Government and should have effect in all cases from the commencement of a financial year.

**Note 2:-** Buildings for which rent is recovered for a season only, such as those meant for the migratory staff of Government should be shown under Class I if they are allotted to officers liable to pay the full standard rent (limited to 10 per cent of their emoluments). Such buildings may, however, be exhibited under a separate group of that class.

**269.** All buildings of Class I may be kept on a single list for the purpose of this rule, or there may be separate lists for each circle of Superintendence, as may be more convenient. Separate lists are not required for buildings the rent proceeds of which are creditable to different services.

#### **D — MISCELLANEOUS**

**270. Procedure in the case of application for reduction of rent :—**All applications for sanction to reduce the rents of Government buildings occupied as residences below the amounts which should be charged under the foregoing rules must be accompanied by a tabular form in which should be shown the undermentioned particulars

- (1) Value of building and site.
- (2) Average annual charges for maintenance—
  - (a) Special, and
  - (b) Ordinary.
- (3) Rent assessed according to rule.
- (4) Proportion of total area occupied by office (if any).
- (5) Deduction on account of office rent (if any).
- (6) Rent that would be payable by occupant.
- (7) Rent that is proposed.
- (8) Average emoluments of occupant.
- (9) Market rate for similar accommodation in the same station (to be given as far as practicable).
- (10) Average rent chargeable under these rules for other Government buildings with, as nearly as may be, similar accommodation (to be given as far as practicable).

**271.** In all cases in which it is proposed to exempt an officer from the payment of rent, the undermentioned particulars should invariably accompany the application

- (a) Actual or estimated value of the house and site.
- (b) Rent chargeable under the rules.
- (c) Emoluments of the official recommended for the grant of free quarters.
- (d) Date from which it is proposed to grant the privilege of free quarters.
- (e) Specific grounds on which the concession is recommended.

**Note :—** When a well in a Government residential building is dry or otherwise unfit for use, for a continuous period of not less than two months, the standard rent of the residence

should be reduced, with the sanction of Government, by an amount equal to the rent on the capital cost of the well (if such cost is included in the capital cost of the building) for the period for which the well is dry or otherwise unfit for use. The occupant of the residence should pay either the reduced standard rent or 10 per cent of his emoluments, whichever is less, for such periods.

**272.** Whenever a house is occupied free of rent, or a reduced rent, by any Government official, the authority under which the exemption or reduction is made should in every case, be communicated to the Accountant General, in order that he may enter in the Capital and Revenue Accounts of quarters.

**273. Periodical review of concessions :**—In cases in which the grant of free quarters or of quarters at reduced rent has been sanctioned, Heads of Departments and the Chief Engineer may, should such concessions appear to them for any reason, to be no longer necessary, review such cases, and recommend to Government the withdrawal of the concessions accompanied by data statements for sanction to the recovery of rent.

**274.** The practice of allowing public officers and others to occupy Government buildings, rent free, on condition of keeping them in repair, is prohibited. A rent fixed with the reference to the value of the property should, in all cases, be demanded, and the repairs should be executed through the agency of the Public Works Department.

**275. Rent recoverable from private persons :**—When any Government building is, under proper authority, let to a private person, rent should be regularly recovered for the same at the rates prevailing in the locality for similar accommodation belonging to private owners but without the special permission of Government, the rent charged for the buildings thus let, in any stations should not be less than the rent calculated by taking into account 6% for interest on the book value of the building with additions and alterations and of sanitary, water supply and electrical installations and fittings in the building plus 1 ½ % on the book value of the building, excluding the cost of site, but including cost of sanitary, water-supply and electrical installations and fittings to recover capital investment at the end of the life of the building plus 4 ½ % for maintenance on the capital cost of the building excluding the cost of site and 6 per cent for maintenance on the capital cost of sanitary, water-supply and electrical installations and fittings plus municipal or panchayat taxes, if any, payable on the building.

**Note 1:-** The terms “book value” and “capital cost” used in the paragraph represent (i) the actual cost of constructing or acquiring the building plus, (ii) the cost or assessed value of the site plus, (iii)(a) in the case of buildings constructed by the Public Works Department, departmental charges on the works outlay for establishment (including pension) tools and plant and audit and accounts at the rates in force at the time of calculation of rent as shown in sub-clause (iv)(d) of Rule 6 in Appendix 7 to the Andhra Pradesh Public Works Accounts Code, or (b) in the case of buildings constructed by the other departments of Government under Paragraph 97 of the Public Works Department Code, departmental charges on the works outlay for establishment, etc., at 6 per cent, and (c) in the case of buildings merely acquired by Government through the agency of the Public Works Department, a departmental charges of 3 per cent on the gross cost of acquisition.

**Note 2:-** The Chief Engineer is authorised to sanction renewals of leases of Government buildings let to private persons on the terms originally sanctioned by Government in cases where the rent does not exceed Rs. 20 per mensem.

**Note 3:-** (i) The standard rent paid for the buildings should be charged to pensioners of Government for the first three months from the date of retirement provided their continuance in the buildings after retirement is permitted by the Government.

(ii) If specific permission of the Government is obtained for occupation beyond three months rent at local or market rates may be accepted as per Para 275 above. Calculation of rent at local rates shall be made quinquennially except where additional amenities are provided in the meantime. Where additional amenities are provided, enhanced rent will have to be fixed taking into account the cost of the amenities.

(iii) Where the occupation is without the permission of the competent authority, rents should be charged as detailed below

Interest on capital cost of the buildings plus maintenance charges in addition to the rent assessed as per local market rates in accordance with Para 275 above.

**Note 4 :—** Calculation of standard rent under this para should be made in the statement form shown in Appendix XXIV.

**276. Improvements to residential buildings :—**When estimates for improvements and additions to residential buildings are submitted for the sanction of the competent authority information as to—

- (a) the present capital cost of the site and building separately;
- (b) the standard rent of the quarters;
- (c) the probable revised standard rent after completion of the works; and
- (d) the probable actual rent likely to be recovered should be furnished along with the proposals.

**277. Additions and improvements to buildings for which special reduced rents have been sanctioned by Government :—**Proposals for additions and improvements to buildings for which special reduced rents have been sanctioned by Government under Fundamental Rule 45-V-(b) should be jealously scrutinised. Adequate additional rent in proportion to the further capital expenditure should, as a rule be recovered in all cases in which the reduced rent was fixed in consideration of certain defects, as it would not be correct to reduce the rent of a house on account of defects and then to improve it without increasing the rent.

**278. Liability to rent for new buildings and for additions and alterations :—**(a) The Executive Engineer should fix, under the provisions of Fundamental Rule 45-A-III(b) and with reference to special orders if any, passed by Government, the approximate rate of rent to be recovered and should give notice thereof to the office for whom the building is intended, one month in advance of its probable date of completion. Immediately the building is fit for occupation, the Executive Engineer or the Sub-divisional Officer concerned should intimate the fact of its completion to the officer concerned. The liability to rent commences from a date one week after the date of receipt of the intimation by the officer, and the rent should be recovered in accordance with rules, whether the building has been occupied within that time or not. The rent so fixed will be subject to adjustments later, should the rent finally sanctioned by the competent authority under Fundamental Rule 45- A-III(b) differ from that decided upon by the Executive Engineer.

(b) In the case of additions and alterations to a residential building which necessitate a revision of rent the Executive Engineer will fix, in the first instance, the revised rate of rent to be recovered, subject to modification and the necessary adjustments after the sanction of data statements by the competent authority, and will give notice thereof to the tenant within ten days after the completion of additions and alterations. The revised rate will have effect from the date of completion of the work.

(c) Revised data statement should be submitted to the competent authority immediately after the completion of each work involving an increase to the capital cost of the building without waiting, for the completion of works subsequently sanctioned.

**Note 1:-** Superintending Engineers are empowered to approve finally, on the certificate of the Audit Officer, of data statements for calculating the standard rents of Government residential buildings except those which fall under F.R.45-A-II, V(i) and (2) (vide Paragraph 263), provided the standard rent is fixed strictly in accordance with the instructions in F.R. 45-A-III(a), (b) and (c) and the subsidiary rules thereunder. Data statements in which the Audit Officer differs from the Superintending Engineer should be submitted to Government for orders.

**Note 2 :—** Superintending Engineers are also empowered to approve finally, on the certificate of the Audit Officer, of data statements for calculating the standard rents of Government residential buildings, the capital cost of which is not known, standard rent will be calculated in the above cases by the Superintending Engineers as follows

When the year of construction or acquisition of a residential building is not known, its present value will be taken into account. The rate of interest applicable to the year in which the assessment of the capital cost of the building was made for the purposes of the F.R. 45-A-III(b) (i), will be adopted for purpose of calculation of rent and preparation of rent data statement of the building.

**Note 3:-** Calculation of standard rent should be in the statement form in Appendix XXIV.

**279. Residence of the Governor :—**The sanctioned residences of the Governor will be occupied free of rent.

**280. Damage to residential buildings by tenants :—**Every officer for whom a Government residence has been provided is bound to leave in a fit state for occupation by his successor, and will be required to pay the cost of any special white-washing, cleaning or other repairs which may be rendered necessary by any improper use of the building. In order to give effect to this rule and to see that the quarters have been handed over for occupation in thoroughly good order, the Executive Engineer or the Sub-divisional Officer should arrange to have each residential building inspected immediately after it is vacated. The incoming tenant will also be responsible for bringing to the notice of the Executive Engineer any special damage at the time he enters the building.

**Note 1 :—**The intention of the rule is that, while repair occasioned by natural wear and tear should be carried out at Government cost, damages to Government property which can be provide to be due to culpable carelessness on the part of tenants should be charged to them.

**Note 2 :—**A notice to the above effect should be issued to occupants before they occupy their allotted quarters.

**Note 3** :—A list of fixtures in each residential building shall be maintained by section officers and in sub-division and division offices and a copy of it shall be hung in each building. Whenever change in occupancy of a building occurs the outgoing officer should obtain from the incoming officer a receipt for the fixtures handed over and forward it to the public works department section officer in charge of the building. If the building on being vacated by one officer is not occupied immediately by another, the outgoing tenant on vacating the building should obtain a certificate from the Public Works Department, Section Officer that all the fixtures noted in the list are present and in good order; and, when the building is re-occupied, the section officer should obtain from the new tenant a receipt for the fixtures. If any of the fixtures are left in a damaged condition the section officer should immediately report the fact through the sub-divisional officer to the Executive Engineer who will recover the cost of the damaged articles from the outgoing tenant.

**281. Use of vacant residential buildings as rest house** :—Vacant Government residential buildings should not be allowed to be used as rest houses, but officers on tour may be allowed to occupy temporarily such buildings with the previous permission of the Executive Engineer subject to the payment of rent at the rate of 0.50 paise a day in the case of a Gazetted Officer and 0.25 paise a day in the case of a non-gazetted officer for an occupation of twenty-four hours or a fraction thereof such occupation should not, however, be permitted of buildings which would otherwise be eligible for vacancy remission of tax under the provisions of the Andhra Pradesh Municipalities Act or the Andhra Pradesh Gram Panchayat Act, 1964 unless the rent payable is sufficient to cover the loss of the vacancy remission.

**Note** :— Officers on tour may also be permitted to occupy temporarily non-residential Government buildings partially or wholly vacant subject to the same conditions and rates of rent as in this paragraph.

**282. Care of vacant buildings** :—If an officer for whom a Government residence is provided with or without rent is allowed for his own convenience to live elsewhere, he is expected to engage a watchman, to take care of the building. Until a private watchman is so employed, the Public Works Department will employ one and recover the cost from tenant, when, however, a residence remains unoccupied not purely on account of personal reasons but because the post to which the residence is attached vacant or its incumbent is exempted both from occupying it and from the liability to rent in the circumstances described in Subsidiary Rule 5 to F.R. 45 the following arrangements should be made:—

(1) If the quarters are expected to be vacant for one month or less the officer on the spot discharging the duties of the permanent officer for whom the quarters are intended should arrange to depute a peon or other menial to look after the vacant building and garden attached to it.

(2) If the quarters are expected to be vacant for more than one month the department in-charge of the building will employ a watchman at the cost of Government to look after the building as well as the garden.

**Note 1** :—The Executive Engineer is authorised to sanction the entertainment of a watchman or caretaker in the case of Government residences in his charge. In exercising this power the Executive Engineer should ordinarily sanction only the lowest pay of the watchman. If, however, it is found absolutely necessary to pay more than the lowest rate in special cases, he should record his reasons for doing so.

**Note 2** :—A watchman employed for a vacant residential building need not be discharged, when the building is temporarily used as a rest-house by touring officers for not more than 15 days, vide also Paragraph 281.

### **E — UPKEEP OF THE COMPOUNDS ATTACHED TO PUBLIC BUILDINGS**

**283.** To ensure proper upkeep of the compounds attached to Government buildings including residences in-charge of the Public Works Department, the following rule should be observed

(1) The occupant of a Government building or residence shall be responsible for the proper care and upkeep of the trees, shrubs and hedges in the compound and will also see that the compound is kept in proper order.

(2) No tree or main branch of a tree shall be cut without the Executive Engineer's concurrence.

(3) The ground of the compound shall not, without the concurrence of the Executive Engineer, be broken for any purpose except that of "gardening" in the ordinary sense of the world, and this shall not include the digging of pits, ponds or wells for watering purposes.

(4) Bushes and shrubs planted in the ground are the property of the Government and may not be cut down or removed from the compound without the concurrence of the Executive Engineer, but his concurrence shall not be required for such cutting down, uprooting or trimming of any bund or shrub or lopping of any tree as may be necessary for the proper maintenance of the garden.

(5) (a) The Executive Engineer will report to the Superintending Engineer any breach of the above rules which may come to his notice.

(b) The compound of jails and mental hospitals will be exempted from the operations of the above rules and will be in sole charge of the Superintendents.

(6) These rules do not apply to compounds of the rent-free Government houses.

**284.** Tenants of rented or rent-free residences may be allowed the enjoyment of the usufruct of trees, provided the compounds are maintained at their cost and the pay of gardeners and all garden expenses are borne by them. An officer occupying Government quarters has no right to cut the trees or branches blown down by cyclone as the term "usufruct" is not meant to include them.

### **F — INSPECTION BUNGALOWS**

**285.** Inspection bungalows of irrigation branch of Public Works Department are in-charge of the Irrigation Branch, but Collector will control their use in all cases except those for which officers of Public Works Department have a preferential right of occupation such as inspection bungalows near anicut systems. In the case of Inspection Bungalows near anicut system, the Collectors' control will be exercised in consultation with Superintending Engineer concerned.

The inspection bungalows maintained from Roads and Buildings funds will be under the control of the concerned Executive Engineer (Roads and Buildings) for the purpose of reservation and officers of Roads and Buildings Department will have a

preferential right over other heads of Departments for occupation and reservation of these Inspection Bungalows.

The Collectors will have powers to decide priorities of reservation in situations where disputes or difficulties arise in accommodating the following high personages

(1) Ministers and Deputy Ministers of the Union and State Governments, Speakers of Lok Sabha, Chairman of Rajya Sabha, Deputy Speaker of Lok Sabha and Deputy Chairman of Rajya Sabha, Speaker of Legislative Assembly and Chairman of Legislative Council and Deputy Speaker of Legislative Assembly and Deputy Chairman of Legislative Council of the State Legislatures.

(2) Parliamentary Secretaries to Ministers;

(3) Members, Board of Revenue, Inspector-General of Police and Collectors.

**285-A. State Guest Houses** :—The following State Guest Houses are incharge of Public Works Department:

1. Summer residence-cum-Guest House, Visakhapatnam.
2. State Guest House, Vijayawada.
3. Lake View Guest House, Somajiguda.
4. Dilkusa Bungalow, Somajiguda.
5. Guest House, Asoka Road, New Delhi.
6. Napean Guest House, Napean Road, Bombay.

The Chief Secretary to Government, General Administration Department will control the use of State Guest Houses at Hyderabad, New Delhi and Bombay. The Collectors of respective districts will control the use of the other State Guest Houses.

**286.** Inspection Bungalows have been classified into two classes, first and second according to the scale of accommodation, furniture and other conveniences. The rules regarding the conditions of occupation, rent, etc., will be found in Appendix VI.

**287.** Every Executive Engineer should keep a register of inspection bungalows in his charge for each class.

#### **G — RYOTS' SHEDS**

**288.** Proposals for the construction of ryots' sheds, except in the West Coast districts should be submitted to Government for sanction.

#### **H — HOSTELS**

**289.** The hostels attached to the schools and colleges do not come under the class of residences for Government Officials but they should be shown in the monthly return of the residential buildings for purposes of watching the recovery of rents therefor. They should be treated as non-residential buildings for the purpose of determining the authority competent to accord administrative approval to additions and improvements thereto.

**CHAPTER IV****Miscellaneous Rules Regarding Office Works,  
Excluding Accounts Procedure****A - INITIAL RECORDS OF ACCOUNTS**

**290.** The initial records upon which the accounts of works are based are

- (a) The Muster Roll (Public Works Account Code, Form 21 (Common Form Nos. 474 and 475).
- (b) The Casual Labour Roll (Public Works Account Code, Form No. 22 (P.W.D. VI-68).
- (c) The measurement book (Common Form No. 298).

For work done by daily labour the subordinate in-charge of the work will prepare a muster or casual labour roll recording thereon when practicable the work done and the amount payable. For piece-work for contract work generally, the measurement book will form the basis of account. From the muster rolls the subordinate will prepare the labour reports, and from the measurements book he will check (or, if so arranged, prepare) the bills and accounts of contractors and suppliers.

**I. Muster Rolls**

**291.** The nominal muster roll, Form No. 21 (Common Forms Nos. 474 and 475) or the casual labour roll, Form No.22 (P.W.D. VI-68), is the initial record of the labour employed each day on a work, and must be written up daily by the subordinate deputed for the purpose. (See also paragraphs 290 and 291, Andhra Pradesh Works Account Code).

**II. Measurement Books**

**292.** The measurement book, Common Form No. 298 is a most important record since it is the basis of all accounts of quantities whether of work done by daily labour, piece-work, schedule contract, deviations in a lump-sum contract, or of materials received. It is the original record of actual measurement or count. The descriptions must be lucid so as to admit of easy identification and check. A reliable record is the object to be aimed at as it may have to be produced as evidence in a Court of Law. Rules regarding the maintenance of measurement books and the manner of making entries therein are found in the Andhra Pradesh Public Works Account Code, Paragraphs 293 and 294.

**Note 1** :— In the case of works, where considerable earthwork has to be done, e.g., excavation of a canal, the quantity of work done shall be determined with reference to the levels taken before and after excavation and the final payment to the contractor shall be based on the lesser of the two (i.e.) quantities based on pit measurements and levels taken. The levels taken in such cases are to be recorded in Level Field Books and calculations made after plotting the levels on section sheets, and L.F. Books, Section Sheets and Calculation Statements are to be treated as adjuncts to the measurement book. Detailed rules regarding the measurement to be taken in the case of earthwork excavation are found in Specification 20(A)(h) in Section 3 of A.P.D.S.S.

The following certificate shall be inserted at the time of passing bills

Certified that levels recorded in the L.F. Books, levels plotted in section sheets and the areas / quantities worked out in the calculation sheets have been checked and found correct.

**Note 2 :—** Whenever measurement books, change hands, even if it is only from one office to another situated in the same building, the receipt of the books should be acknowledged in writing by some responsible person of a grade not inferior to that of a clerk.

**Note 3:-** In the case of job works executed by piece-workers in the Public Works Workshops at Hyderabad, Vijayawada and Dowlaiswaram where piece-workers are given the works for the amounts of labour estimated for in the work order estimates and agreed to by the piece-workers in the form of agreement printed in the work order form (P.W.D. IV-6) there is no need to record in a measurement book any measurement of the works done or the lump-sum payments made against the agreed amounts. In cases, however, where the job work is entrusted to the piece-worker subject to payment to him at a rate agreed to with reference to weight or area of outturn, it is necessary to record detailed measurements or job works in a measurement book to serve as a basis for making payment to the piece-worker.

(G.O.Ms.No.50, I&CAD (PW Reforms), dated 02-03-2009)

**293.** The conditions under which payments may be made without detailed measurements, are given in paragraph 313 of the Andhra Pradesh Public Works Account Code.

**294.** Sub-divisional officers are expected to check the calculations etc., recorded in the measurement books as laid down in Para 306 of the A.P.W. 'A' Code and to checkmeasure as laid down in Paragraph 297 of A.P.W. 'A' Code. Executive Engineer! Divisional Engineers incharge of regular divisions in P.W.D. will checkmeasure the work done on not less than 36 of their important works in each financial year. Executive Engineer! Divisional Engineers of special division will also checkmeasure the work done on not less than 36 of their important works in each financial year. The item in the measurement books actually checkmeasure should, as a rule, be initialled by the checking officer. Further, the Executive Engineer/Divisional Engineer should checkmeasure atleast once all individual works costing Rs. 50,000 and more. The check measurement to be done by the Executive Engineer/Divisional Engineer should be spread out throughout the year and there should be no rush of check measurements towards the end of the financial year. The frequency of check measurements should be correlated to the amounts of bills to be paid in the respective months. (Executive Engineer in-charge of purely investigation Divisions will check measure atleast 12 Nos. Purely Designs and quality control Divisions are exempt from check measurement).

(G.O. 60, P.W. (Y) Dept., Dt. 26-1-1973)

In addition to the above, the Superintending Engineers of Circles should also checkmeasure works at random in a particular year or years as may be directed by the Chief Engineer from time to time.

**295.** A register of check measurements should be maintained in each division showing all check measurements made by the Divisional Officer and this register should be available for inspection by the Audit Officer during his inspection.

**296.** During their tours and inspections of Divisional Offices, Superintending Engineers should make it a special duty to see that measurement book are carefully kept, that measurements are properly recorded and that the books are complete records of the actual measurements of each kind of work done and are maintained in accordance with the above rules.

**Note:-** Superintending Engineers are competent to deal with losses of Measurement Books, survey field books, levelling field books and log books of Government vehicles. All losses of these books should at once be reported to the Superintending Engineers who will deal further in the matter. He will write-off the loss if and when necessary and take disciplinary action, if circumstances warrant.

The Government sanction the delegation of powers to all Chief Engineers and Superintending Engineers of Public Works Department to condone certain types of irregularities noted below in connection with the execution of works.

1. Failure to conduct checkmeasurement.

May be condoned by Departmental Officers subject to the following conditions.

(a) That the cost of the work concerned is within the powers of that officer to write-off,

(b) That he is satisfied that there has been no loss on account of lack of initial check measurement.

May be condoned by Superintending Engineers in regard to intermediate bills, subject to the conditions that over payments are recovered from subsequent bills. In regard to first and final bills, the powers of condonation by the Superintending Engineer or higher authority should be restricted to bills, the value of which are within their powers to write-off.

2. The concerned authorities should from time to time make a report to the Government indicating the action taken by them in order to enable the Government to examine if any disciplinary action is called for or if any directive need to be given severally or any individual case.

(G.OMs.No. 1001, P.W.D., Dt. 18-5-1957)

### **III. Progress Reports of Works**

**297.** Sub-divisional Officers and subordinates will furnish to the Executive Engineer such progress reports of works at such intervals may be prescribed. It is the duty of the official incharge of any work to bring to notice any dilatoriness, bad works, or anything militating against the interest of Government on the part of any contractor or piece-worker.

## **B — CUSTODY OF CASH**

### **I. General**

**298.** Public money in the custody of the department should be kept in strong treasure chests and secured by two locks of different patterns. The duplicate keys of divisional and sub-divisional cash chests should be placed, under the seal of the Executive Engineer, in the custody of the Treasury Officer in the jurisdiction of the division concerned. A duplicate key register should be maintained and once a year, in the month of April, the keys should be kept apart from the key of the other lock and in a different person's register that they have been found correct. The key of the one lock should be kept apart from the key of the other lock and in a different persons' custody when practicable. When there is a police guard, the havildar or other petty officer of the guard should usually be the custodian of one set of keys. The chest should never be opened without both custodians, being present. The non-commissioned officer or daffedar of the guard should always be present when a treasure chest is opened and until it is again locked. Whenever a cashier is attached to a division or sub-division, the key or one of the locks of the treasure chest will necessarily remain in his possession.

**Note** :— The above rules should be strictly followed in offices where cashiers have been appointed under Paragraph 300, and where head clerks have been required to furnish security under Note 3 to Paragraph 303. In other offices, where iron safe and cash chests are embedded in masonry and the cash to be deposited does not ordinarily exceed Rs. 500/- a single lock is sufficient. Portable cash chests should always be provided with two locks.

## **II. Precautions to be observed for cashing or remitting of Government money from one Officer to another**

**299.** The following instructions are laid down for the guidance of all officers in cashing bills or in remitting money from one office to another. They embody the minimum precautions to be observed for safeguarding Government money outside a Government office in normal circumstances. In conditions are in any way abnormal as when the general tranquility is disturbed or when the money has to be transported a long distance or when crimes against property have been unusually ripe in any area, it is expected that officers will use their judgment as to the additional precautions that may be required.

### **Instructions**

*Sum below Rs. 500* :—

- (i) If the sum is below Rs. 250 a single peon may be employed;
- (ii) If the sum is between Rs. 250 and Rs. 500 two peons atleast one of them being permanent one or a clerk may be employed.

**Note** :— In section office where two peons may not be available for amounts between Rs. 250 and Rs. 500 the section officer should wire to the subdivision officer to send a peon who should accompany his own peon with the remittance or in the alternative a clerk may be employed. When such a sum has to be brought from the sub-divisional office, the sub-divisional officer should arrange to depute a peon to accompany the peon of the section office.

Officer must use their discretion as to the person employed. A peon recently entertained or a peon whose honesty has been suspected should not be employed alone.

*Sums between Rs. 500 and Rs. 5,000* :—A permanent clerk accompanied by a peon should be employed.

**Note** :— In the case of such remittances by section officers who have no permanent clerks, the section officer must remit the money himself, accompanied by a peon.

*Sums between Rs. 5,000 and Rs. 20,000* :—Two clerks or the Divisional Head Clerk or the Divisional Accountant or the Superintendent in the case of the Chief Engineers' office who hold substantive posts in the Government service and have rendered not less than ten years' service accompanied by one or two peons should be employed.

*Sums above Rs. 20,000* :—Such transactions should not be common. A Divisional Head Clerk or a Divisional Accountant or a Superintendent in the case of the Chief Engineer's offices who holds a substantive post in Government service and has rendered not less than 10 years service and a clerk who should be atleast an approved probationer should be employed with an escort of two peons.

For sum greatly in excess of Rs. 20,000 special arrangements should be made.

In respect of remittances made by section officers or overseer sections, Lock and Wharf Superintendent, the following arrangements should be adopted:

(i) If the sum is below Rs. 100 a peon or single lascars or a mile or bank mazdoor with ten year's service and of known reliability may be employed.

(ii) For sums between Rs. 100 and Rs. 250 two peons or lascars or mile or bank mazdoor with the same service and character may be employed.

(iii) For sums between Rs. 250 and Rs. 500 one irrigation gumastah or wharf or local Superintendent or maistri of same service and one lock lascar or mile or bank mazdoor may be employed.

(iv) For sums over Rs. 500 special arrangements should be made as indicated in rules.

*Special instructions for the Highways Department* :—The following instructions shall be observed by the section offices of the Highways Department in cashing bills or remitting money

(1) *For sums upto* Rs. 250 :—The section officer should use his discretion as to whether a peon or an attender should be deputed as the occasion demands.

(2) *For sums between* Rs. 250 and Rs. 500 :—One peon and one attender should be employed.

(3) *For sums of* Rs. 500 and above :—The Supervisor should personally go.

## C — CASHIERS

### I. General

**300.** Cashiers may be appointed with the sanction of Government whenever the cash transactions of a division or sub-division are sufficiently extensive to require it.

**301.** One cashier may make the cash payments of two or more sub-divisions, or throughout the whole of a division, whenever such an arrangement is found to be practicable.

**302.** The Executive Engineer will count the cash in the hands of each cashier at least once a month; or in the case of out-stations, he or the Assistant Engineer will count it whenever he may visit them. He will, on such occasions, record a note in the case showing the date of examination and the amount (in words) found.

### II. Security Deposits (Subordinates)

**303.** Cashiers, whether appointed permanently or temporarily must furnish security, the amount being regulated according to circumstances and to local custom in each cases under the sanction of the Chief Engineer, Store-keepers, Sub-store-keepers, and lower subordinates, also head clerks of Superintending Engineer's offices, and other members of the Clerical, petty plantation and revenue establishments entrusted with the custody of cash or stores should, subject to general or special orders of Government on the subject, be required to furnish security at the option of the Superintending Engineer of the Circle in accordance with the rules in the Andhra Pradesh Financial Code, Volume I in Article 276- 277 of Chapter XII.

*Note 1* :— Surveyors, either permanent or temporary, drawing pay Rs.60 and more a month, will be classed as upper subordinates while drawing less than the above amount will be considered as lower subordinates for the purpose of the above rule.

**Note 2:-** Delta, anicut arid channel Superintendents and lower subordinates on the permanent establishment will be exempted from furnishing security on account of imprests granted to them when the imprests do not exceed Rs. 100.

**Note 3 :—** Head clerk of Executive Engineer's offices who may have charge of cash need not, except in special cases when large sums are in question, furnish any security. They may be made responsible imprest holders when this is considered necessary.

**Note 4:-** Irrigation Superintendents, toll-keepers, shroffs and wharf Superintendents on the permanent establishment, entrusted with the collection of tolls and licence fees, need not furnish security except under special orders. Men on temporary establishment should, however furnish security.

**Note 5 :—** Sub-divisional clerks may, at the discretion of the Execution Engineer, be allowed imprests without security, provided the amount does not exceed Rs. 15.

Executive Engineers may at their discretion, authorize sub-divisional Officers to entrust, during their absence from head quarters, the custody of the sub-divisional cash chest to the sub-divisional Head Clerks. Whether the Head Clerk of Sub-divisions should, in such cases, furnish any security or not may be decided by Executive Engineer at their discretion.

## D – STORES

### I. General

**304.** The stores of the Public Works Department are divided into the following clauses viz., (i) Stock or general stores, (ii) tools and plants, (iii) road metal, and (iv) materials charged direct to works. Unless there are orders to the contrary the officer in- charge of a sub-division will be responsible for all the stores belonging to it.

Subject to the overall responsibility of the Sub-divisional Officer the section officer will be responsible for the stores belonging to his section as well as the stores, tools and plant and materials at site of any works which are under his direct charge.

**Note :—** A contractor should not be asked to take delivery direct from a firm of articles required for a work as it may lead to fraud.

**305.** An Executive Engineer is responsible that proper arrangements are made throughout his division for the custody of public property. He must be careful to keep all tools and implements in efficient orders, must protect surplus stock from deterioration, and must take proper precautions to prevent the loss of public stores by fire.

**Note :—** Special pay is granted to clerks placed in-charge of stores in certain divisional offices-see item 125 under Class I of Appendix-I to Andhra Pradesh Manual of Special Pay and Allowances. In all other divisions the head clerk or other permanent clerk and the head draughtsman should be made responsible or looking after the stores and instruments respectively without any extra allowance.

**306.** Every officer is bound to take charge of departmental stores which, from the death or departure of the person lately in-charge, or from any other cause, may be left at or near his station without adequate protection.

## II. Acquisition of Stores

### (a) Purchase of Stores

#### (i) Stores (other than Tools and Plant)

**307.** Stock, road metal and other materials (not being articles of European Manufacture, which must be intended for on England), required in ordinary course or the execution of sanctioned works, may be procured on the responsibility of the Executive Engineer without special authority, but the Superintending Engineer's approval should be obtained to the measures proposed for the purchase of stock in large quantities. If the stores or to be manufactured, a separate estimate for their preparation may be required as laid down in Paragraph 323.

**Note:-** Purchase of materials for in advance or excess of requirements results in both direct and indirect losses to Government and should be avoided.

**308.** Firewood should usually be measured by weight and cubic metre measurement should be adopted only in exceptional cases with the prior approval of the Executive Engineer when check measurement by weight would be impossible or disproportionately expensive. In such cases the Cubic metre rate to be adopted should be ascertained by actual weighment of fair samples of the wood concerned.

#### (ii) Tools and Plant

**309.** "Tools and Plant" can only be purchased or manufactured on estimate sanctioned by competent authority, with the execution of purchases or manufactures not exceeding Rs.500, for which estimates are not required.

**310.** The rules governing the initial supply, repair and renewal of bicycles are contained in Appendix 7 of the Andhra Pradesh Financial Code, Volume-IT.

**311.** Charges for new supplies of and repairs to bicycles, in the case of executive officer, should be classified under "Tools and Plant" while those relating to typewriters and duplicators, cyclostyle machines, etc., which are classed as "Stationery" should be classified under "Contingencies".

**312.** The Floating Plant of a division consists of boats, punts, steamers or other vessels intended primarily for use in connection with the works of the division. The Floating Plant obtained in connection with the large projects, is generally treated as "Special" and charged to the works concerned. Other Floating Plant required in connection with general maintenance purposes is charged to the "Tools and Plant" of the division. In the first case the cost of maintenance and repairs of the Floating Plant is debited to the work concerned, and in the second to "Tools and Plant".

### (b) Indents

**313.** The general rules for the supply of articles required for the public service, whether of indigenous original or otherwise, will be found in the Stores Rules of the Andhra Pradesh Financial Code, Volume-I. With regard to indents for stores obtainable from other departments attention is invited to paragraphs 317 to 320.

The restrictions imposed by the Stores Rules do not apply to purchase made by or on behalf of Indian Stores, Port Trusts, Municipalities, Zilla Parishad, Panchayat Samithis and Panchayats excepting when the Stores purchased are paid for from Government revenues on behalf of Government or from funds advanced by Government in the later circumstances

Government may however, direct that the provisions of the Stores Rules need not apply. When a Public Works Department officer carries out a work for any of the Zilla Parishad! Panchayat Samithis, Panchayats reference to the above rules shall apply, except when the Zilla Parishad/Panchayat Samitis/Panchayat specially desires to have the stores purchased otherwise, and the Government had accorded its approved thereto. Such approval will ordinarily be granted only on the condition that the stores must be approved by the officer carrying out the work before the purchase is concluded.

**314.** (1) Indenting officer should see that in cases of loss or damage of imported stores, claims are promptly made against the shippers contractors or "Marine Insurance". A loss would be chargeable against "Marine Insurance" only when the responsibility for breakage or loss cannot be fixed on the shippers for contractors.

(2) The High Commissioner or Ambassador for India charges  $\frac{1}{4}$  per cent on all stores shipped to cover the cost of Insurance, and in cases in which the loss is properly chargeable Insurance he arranges to give a corresponding credit to the Department or Province concerned by debit to "Marine Insurance".

(3) The report of loss or damage should show the particulars contained in the instructions on the packing account, viz., description of stores, details of numbers and where necessary sizes and quantities when articles are missing, the gross weights, of package as received. If no recovery has been made, the facts and the reasons therefor should also be reported.

(4) Marine insurance does not cover after the stores leave the ship's side, i.e., during landing and it is therefore essential that brittle 'stores such as stoneware pipes, etc., should not be landed at open road-sides during certain seasons, such stores should be landed at these ports only when the risk of breakage is at a minimum. Indenting officers should clearly indicate in their indents whether any of their indented articles should be so delivered.

*Note:-* It is desirable to make a small allowance for breakage in indenting for stone-ware or cast iron pipes.

**315.** It is the declared policy of Government to encourage the purchase in India of articles which are either produced or manufactured locally and preference should be given to such articles, when the quality is satisfactory and the prices not unfavourable. All indents for demands should accordingly be carefully scrutinized by the sanctioning authority with a view to judging whether articles are being indented for from Foreign countries which could equally economically and satisfactorily be obtained from local manufacturers.

*(ii) On the Departments*

**316.** Tents and other articles manufactured in jails should invariably be purchased from the jail department unless the previous sanctions of Government is obtained to their purchase elsewhere.

*Note :—* All proposals for the supply and disposal of tents should be submitted to the Chief Engineer for sanction.

**317.** Indents on other departments in India, when not required to be prepared on special forms, may be prepared in duplicate in Common Form No. 274, Receipts in the forms supplied by the Ordinance, or other departments, must be granted for all stores obtained, in the absence of special instructions to the contrary, Executive Engineers are

prohibited from resorting to the Ordinance Department, or to the supply and Transport Corps, for the supply of any articles which can be procured in the local market, or made up in their own workshop.

**318.** Such indents should be submitted through the Superintending Engineer, and, if approved will be countersigned and passed on by him to the head of the department concerned, who on sanctioning the indent, will send it to the local officer of his own department for compliance, giving notice to the indenting officer.

**319.** Receipts in the forms supplied by Ordinance or other officers must be granted for all stores procured on indents from them; and generally when the aid of another department is sought in supplying stores otherwise, the transaction will be conducted so as to conform with the rules of that department.

**320.** Emergent indents on other departments in India may be submitted only in case of actual necessity (which must be reported to the Superintending Engineer) when serious inconvenience would be likely to arise from the submission of indent in the ordinary way. Emergent, indents will nevertheless be complied with at once on the responsibility of the indenting officer, and will then be submitted by the complying officer, for the necessary counter-signature so that Superintending Engineer may exercise a check over such demands.

**321.** Superintending Engineers are empowered to sanction the recouplement of differences in Famine tools by transfer from Provincial tools when the stock of the latter permits of such transfer and provided the tools so transferred are in serviceable condition  
— see Paragraph 328.

#### **(c) Purchase from Government Workshops**

**322.** All articles of iron work which have not to be obtained from Foreign country through the High Commissioner in accordance with the Stores Rules and which cannot be conveniently made up in Executive Engineers Workshops, may be procured on indent from any Government workshop authorised to undertake work for other departments. The orders in the Stores Rules regarding the Indian Firms to which orders may be given for articles to be manufactured out of imported materials, should be closely followed:

#### **(d) Manufacture**

**323.** The manufacture or collection of materials involving an outlay of Rs.10,000 on upwards must in all cases be covered by an estimate showing the proposed outlay and the material to be received. If the material be for a work already duly sanctioned, or for reserve stock within the sanctioned limit for the division, the estimate will only require the approval of the competent authority but in all other cases the estimate must be duly sanctioned as for an original work.

*Note* :— Departmental manufacture of bricks on Government land is permissible only if they cannot be purchased at a reasonable price, such departmental manufacture should be made only in properly arranged brick-rilns. Every endeavour should even then be made to secure a contractor to manufacture bricks of a special quality and size at an agreed rate,

### **III. Reserve of Stock**

**324.** Ordinarily, materials should be purchased only for works on progress, and petty stores obtained if so possible, from a suppliers who should enter into a contract for them at scheduled rates and no reserve of stock be kept. But in the case of any division

in which owing to its remoteness from markets or for any other reason, it may be considered absolutely necessary that a reserve should be maintained, the sanction of Government should be obtained for the maintenance of reserve stock up to a maximum value to be prescribed; and, if this has been done, the Executive Engineer is authorized subject to the approval or sanction of the estimate therefore where required by the provisions of Paragraph 323, to purchase or manufacture, to an extent sufficient to keep his stock up to that limit, the sanction of superior authority being required only when it is desired to exceed it. The fixed maximum should be kept at the lowest point compatible with efficiency and the stock returns of divisions should be carefully scrutinized by Superintending Engineers, from time to time, with reference to this point. As it is not known on which work these stores may be used, they are accounted for in a suspense account of stock, see Paragraph 180(d) of the Andhra Pradesh Public Works Account Code.

#### **IV. Stock-taking**

**325.** Executive Engineers are to have all the stocks in their divisions checked at least once a year. It is not necessary that all the stores of a division, or even a sub-division should be checked and counted at the same time. All stores should be counted by an officer not below the rank of a Sub-Divisional Officer (A. P. Public Works Account Code, paragraphs 213, 215 and 337). (See Articles 139 and 143 of A.P. Financial Code, Vol. 1)

**326.** All articles of stock (but not tools and plant) which are not likely to be required during the following twelve months, should be reported to the Executive Engineer who will, if necessary, take the Superintending Engineer's orders as to their disposal — vide also paragraphs 333-339 regarding surplus stores.

**327.** Reserves of rough stone and metal kept for irrigation works should be verified at least annually, the dimensions of each stock should be painted on it and the stock spattered with paint or whitewash.

#### **V. Famine Tools**

**328.** Famine Tools are reserves of Tools and Plant of a Non-perishables nature, such as digging tools, axes, iron treasure chests, iron buckets for drawing water, iron tanks, water carts, kerosene tins, fitted with handles, iron pots and ladles for cooking and must roll tins, kept for use on all relief works, (see paragraphs 30-32 of the Famine Code). They should be kept separate from the numerical list of ordinary tools and plant in charge of the Executive Engineer.

Famine tools should not be issued to ordinary works, i.e., to works other than those sanctioned as "Famine test and relief works" except with the sanction of the Superintending Engineer should see that the full reserve limits of stock of these tools fixed for the different centres are maintained efficiently.

#### **VI. Disposal of Stores**

##### **(a) Loss of Stores**

**329.** Executive Engineer should, in case of any robbery loss or destruction by fire or otherwise of public stores, submit a report to the Superintendent Engineer, who will, if necessary, report the matter to Government for orders.

**330.** An immediate report of the loss of stores must also be made to the police and all proper steps taken for the recovery of the property. When an enquiry is held either by the police authorities or others, the Executive Engineer must, in cases where he is not

himself authorised to write off the value of the property obtain and forward as soon as possible, to the Superintending Engineer, a copy of the proceedings.

**Note I** :— When tools are lost by contractors or departmental employees the cost to be recovered should be the replacement value of the lost article.

**Note 2**:- The replacement value shall include the book value of the articles lost including storage charges and an addition of 10% to cover charges on account of supervision].

[Subs. by Memo. No. 1658/C/71-21, Tr.Rds. & Bids. (C), Dt. 22-3-82]

### (b) Sale of Stores

#### (I) General

**331.** (a) When stock materials are sold to the public or other departments including Guaranteed railways and State railways leased to or worked by companies or are issued on account of any work executed for them in workshops at their book value including storage charges in addition of 10 per cent must be made to cover charges on account of supervision over and the rates fixed under paragraphs 198 and 220-A. Andhra Pradesh Public Works Accounts Code. This addition may however be waived by the officer empowered to sanction the sale in the case of surplus stock which, in his opinion, would otherwise be unsaleable. See Paragraph 328(c), Andhra Pradesh Public Works Account Code.

(Memo.No. 1658/C2179-21, R&B (C), Dt. 22-3-82)

**Note**:- The term “other departments” includes also special divisions of the Public Works Department, the establishment of which is classified under major heads other than that to which the establishment of the Supplying division relates.

(b) If it is proposed to grant a concession in regard to the disposal of any Government property or materials for use on a work on account of its charitable or philanthropic nature or in connection with any special calamity, such as that due to an outbreak of fire, floods and earthquake the prior sanction of the Superintending Engineer of the Circle who will consult the Collector of the district as to the nature and object of the undertaking and obtain his concurrence to the grant of the proposed concession, must be obtained. The main criterion is whether the public are benefited by the charity or only a few individuals and the concession should not be granted in the latter case. The Superintending Engineer’s powers of sanction in this respect are limited to the sale of materials, the value of which does not, at the booked value, or market value, exceed Rs.300. In all cases where a larger sum is involved the sanction of Government must be obtained before the sale is effected.

**332.** Ordinance stores not required by Public Works Officers must be returned by them into the nearest magazine.

#### (ii) Surplus Stores

**333.** All surplus stores will be divided into two classes—(i) Serviceable, and (ii) unserviceable. When stores (including tools and plant) of any kind become unserviceable, a report thereof must be made in the survey report form; this should be done at once on discovery of the fact; as it is desirable to avoid keeping worthless materials on stock. In the report all proper explanations must be given, and the period during which the articles have been in store or in use, and the cause of deterioration must be stated.

**334.** All unserviceable articles should be sold in public auction with the sanction of the competent authority. (See Article 142 of A.P. Financial Code, Vol. 1),

If, for special reasons, the authority competent to sanction the disposal of the articles considers that it will be better in the interest of the Government to order the effective destruction of such articles, he may do so.

**335.** All serviceable surplus materials at site of works which have been completed, abandoned or stopped indefinitely should, if likely to be or use on other works within a reasonable time, be transferred to works in progress or brought on to stock account.

**336.** (i) The Executive Engineer of a division should prepare half-yearly a list in Form No. 11-15-A of (1) the serviceable surplus materials brought on to stock account in his division and of (2) all other materials, which are already borne on stock and which are not likely to be required in his division during the following twelve months, and circulate it among the neighbouring divisions only, to which there are traffic facilities, although such neighbouring divisions may lie in other circles e.g., articles in Kurnool should be made known to Guntur though they are in different circles. The list should be circulated by the Executive Engineer not later than the 30th November and 31st May, respectively a copy thereof being also sent to the Superintending Engineer of his own circle and to other Superintending Engineers concerned.

(ii) It will be the duty of the Executive Engineer and the Superintending Engineers to see that all the articles are shown in the surplus lists of the several divisions circulated as in clause (i) above, are used to the best advantage as early as possible on works in the division in which the articles are surplus or in the divisions to which the surplus lists have been circulated.

(iii) If use cannot be found for any of the articles shown in the surplus lists of the divisions within a period of one year from the date they were first entered therein, then the Executive Engineers should take action immediately to have the articles sold by public auction with the sanction of the competent authority except in the case of those which are not easily procurable and which cost Rs.500 and more.

**337.** (i) A list of the articles, in every division, which cost Rs.500 and more and which are not easily procurable, should be prepared by the Executive Engineer concerned in the same form as the list mentioned above and forwarded to the 'General Superintendent, Public Works Stores, Hyderabad', through the Superintending Engineers concerned so as to reach the former not later than the 31st December and 30th June respectively.

(ii) The General Superintendent, Public Works Stores, will then prepare a consolidated list in the same form for the whole State, get it printed and circulate copies thereof to all Executive Engineers of Divisions half-yearly by the 1<sup>st</sup> February and 1<sup>st</sup> August respectively.

(iii) It will be the duty of the officers of the department to see that the articles shown in the above list are used wherever practicable and thus minimise the loss to the department.

(iv) If, within a further period of one year, no use is found for any of the articles shown in the State Surplus List, the Executive Engineers concerned should take necessary action to have them also sold by public auction with the sanction of the competent authority.

**338.** When a building or a portion of a building or other work is dismantled, the dismantled materials may be either—

(a) sold;

- (b) brought into stock at a valuation;
- (c) utilised in the construction of new work in the same building; and
- (d) utilised in the construction of new work in the different building.

The transaction shall be dealt with in the accounts as described in the explanatory note, (26-A) Appendix 4 to the Andhra Pradesh Public Works Account Code.

**339.** Except as provided in Paragraph 432(c)(ii), no public stores may be sold otherwise than by public auction without the permission of the Superintending Engineer. Commission, which should not ordinarily not exceed 5%, may be allowed to the auctioneer, not being a departmental subordinate, but no commission can be allowed on private sales.

## **VII. Hire of Tools and Plant**

**340.** The following rules govern the hire of tools, plant and machinery in the Public Works Department Stores including Divisional Stores, to other divisions, Government Departments, Zilla Parishads, Panchayat Samithis, Panchayats, Contractors, etc.

These rules apply also to the hire of tools, plant and machinery in the Public Works Stores Division, Hyderabad, Godavari Head Works Workshops Division, Sithanagaram to works outside the stores in the same division.

(The department should include the tax element also in hire charges of the vehicles to avoid real loss to the Government and no Motor Vehicle Tax as such need be paid in respect of vehicles loaned to the contractors).

(1) Ordinarily heavy plant and machinery alone should be let out on hire, light and petty tools such as carpenters, blacksmiths, or fitters' tools should not be hired out at all, except as provided in Rule 10, either to Zilla Parishads, Panchayat Samithis, to Panchayats or the private parties.

(2) Ordinarily, if plant and machinery are likely to be required for a continuous period of three years, the articles required should be purchased outright instead of being hired, and on completion of the work, if no longer required, may be offered to the officer in charge of the stores, who after examination may, if they are still serviceable take them over at a valuation.

(3) The hire charges payable under these rules should be recovered monthly in advance except in the case of Government Departments, Zilla Parishads, Panchayat Samithis, Panchayats and contractors doing Government work, in which cases they may be recovered monthly in arrears,

A deposit of the full market value or the full original cost of the tools and plant whichever is greater, should be taken in all cases from private individuals including contractors requiring them for use on non-Government works.

(4) A formal agreement in the prescribed form vide Appendix—Vu should be entered into by the officer in charge of stores for all plant, machinery and tools hired out to Zilla Parishads, Panchayat Samithis, Panchayats, Contractors and private parties.

(5) In addition to the rent payable under these rules, the person hiring the tools, plant and machinery should also pay—

(i) all charges connected with packing, handling in the stores, conveyance and other incidental expenses in connection with the despatch of the tools, plant and

machinery from the stores and return thereto—including freight charges, if any—also erecting and dismantling charges;

(ii) the cost of replacing, missing or broken of repairs necessitated by any definite or specific damage.

**Note** :— In case where plant and machinery are hired out from the Executive divisions of the department the articles should be handed over to the hirer at the place where they are stored by the department and he should be left to attend himself to the packing conveyance etc., at his cost. If, in any case the Department incurs any expenditure on behalf of the hirer by way of handling charges etc., it should be recovered at once from the hirer.

(6) For the purpose of fixing the rates of hire — vide Rule 7—heavy plant and machinery shall be divided into three classes:

**Class A** —Plant and machinery which in fairly constant use is likely to have a life of 20 years, e.g., portable steam engines and steam vertical boilers.

**Class B** :—Plant and machinery which in fairly constant use is likely to have a life of 12 years, e.g., steam road-rollers, steam air-compressors, steam concrete mixers, internal combustion engines of low speed type, steam hoists, power cranes, rail-track of tramway plant and pile driving equipment.

**Class C** :—Plant and machinery which in fairly constant use is likely to have a life of six years, e.g., all motor-driven machinery comprising of pumps, air-compressors, Welding sets, concrete mixers, mortar mills, road-rollers, locomotives, internal combustion engines of high speed type and power calyx drills; hand-operated calyx drills, gear pumps, hand cranes, mortar mills, boring tools and lock drills rolling stock of tramway plant, two- wheeled and four-wheeled trollies, water-carts, separate centrifugal pumps, pulsometer, stone crushers, hand-operation concrete mixers, and lorries and trailers.

If at end of the period or life fixed for a plant or machinery in any of the three classes mentioned above, it is considered still fit for use, it should be transferred to fourth class 'D' without value and hire charges at the rate fixed for the class to which it originally belonged should be charged whenever it is hired to other division, etc.

(7) The hire charges for heavy plant and machinery lent to other Public Works Divisions, Government Departments, Zilla Parishads, Panchayat Samithis, Panchayats and to contractors for use on Government Works shall be fixed to cover interest, depreciation, repairs on return or overhauling and storage and the annual rates are fixed at :—

<i>Class</i>	<i>Interest</i>	<i>Depreciation</i>	<i>Storage &amp; Repairs and renewals on account of fair wear</i>	<i>Total hire charges</i>	<i>Remarks</i>
<b>A</b>	5	5	10	20	On the Original cost of the appraised value where the cost is not known, or the probable cost or renewal.
<b>B</b>	5	8 1/3	10	23 1/3	
<b>C</b>	5	16 2/3	10	31 1/3	

During the period of hire, all repairs except those found necessary owing fair and tear, shall be borne by the hirer. In cases where the period of hire is more than two years, all repairs due to fair wear and tear during the first two years shall be borne by the Government and thereafter by the hirer. In cases where the period of hire is less than two years, all such repairs shall be borne by the Government during the whole period.

Such items, as renewals of bearings, breakage due to a flaw in the metal, shall be included among those to be borne by the Government. The decision of the Executive Engineer of the division concerned or of the General Superintendent, Public Works Workshops and Stores, Hyderabad and Sithanagaram as the case may be, for the time being shall be final as to what repairs should be borne by the Government.

If during the period of hire, it is found necessary to send the plant to the public works workshops for repairs all conveyance and incidental charges to and for shall be borne by the hirer.

**Note:-** Government road-rollers and water-sprinklers may be lent free of hire charges or deposits, to piece-workers for the execution of Government works in the agency tracts subject to the condition that the sub-divisional officer or the subordinate incharge of the works is held personally responsible for the proper use of the plant by the piece-worker and for its safe return.

(G.O.Ms.No. 400, P.W. (Y) Dept., Dt. 25-3-1972)

When heavy plant and machinery belonging to the Public Works Department is lent to other divisions, Government Departments, local bodies and to contractors for use on Government works hire charges are leviable at the rates fixed in Para 340(7) of the A.P.W. D' Code. The rate of interest of 5% included in the hire charges is below the Government's borrowing rate and the hire charges do not include P.O.L. costs, crew charges etc.

(2) The Government consider that the procedure for fixation of hire charges followed in the Nagarjuna Sagar Canals and the Nagarjuna Sagar Dam shall be followed in the entire Public Works Department including Roads and Buildings Department also. They therefore direct that the procedure as indicated in the annexure to the order be followed in the entire Public Works Department including Roads and Buildings Department also.

(3) Even the rates adopted in the Nagarjunsagar Project Organisation require revision in view of the increase in the P.O.L. charges, interest rate etc. All the Chief Engineers should therefore, revise the hire charges urgently. They should also review the charges every year fix suitable rates as already ordered in G.O.Ms.No. 1925, P.W.D., dated 2nd August, 1965.

(8) The monthly rate shall be the annual rate divided by the probable number of months the plant is likely to be out on hire during the year which should be fixed by estimating the average rate of the wear of the plant after a repair and overhauling. The rent so arrived at shall be charged for each complete month. In cases where a plant is required by the hirer for fractions of a month where the total period of hire is less than one month or is in excess of one or more complete months, rent shall be charged for such fractions at 1/20 of the monthly rate per diem subject to the maximum of the monthly rate. In all cases, the period of hire shall count from the date the plant and machinery leave the stores to the date they are returned thereto. An exception to the general rule of charging rent may be allowed by the Executive Engineer of the division concerned or the General Superintendent, Public Works Workshops and Stores, Hyderabad, Sithanagaram and Junior Superintendent, PWD Workshops, Dowlaiswaram as the case may be, when the interval between the two periods of hire is likely to exceed two clear months, and the hirer notifies the fact to the

Executive Engineer of the division concerned or the General Superintendent, Public Works Workshops and Stores, Hyderabad, Sithanagaram and Junior Superintendent. Godavari Headworks Division, Dowlaishwaram, as the case may be, who if he has no demand for the Plant in question elsewhere, may allow it to remain in the custody of the hirer for the period of idle time, free of rent. The total period of idle time permissible between two periods of hire should not exceed six months. No idle time of less than two months duration shall be considered except in cases where a such small periods of idleness are due to the rectification of repairs caused by fair wear and tear or other defects or causes for which the hirer is not responsible. In such cases, the Executive Engineer of the division concerned or the General Superintendent, Public Works Workshops and Stores, Hyderabad, Sithanagaram and Junior Superintendent, Dowlaishwaram as the case may be, may grant exemption from payment of rent. The actual idle time for which no rent charges will be made shall be definitely specified in the sanction and no extension of the period shall be allowed. The Executive Engineer of the Division concerned or the General Superintendent, Public Works Workshops and Stores, Hyd., Sithanagaram and Junior Superintendent. Godavari Head-works Division, Dowlaishwaram, as the case may be. shall not be called upon to bear any charges for care taking or maintenance during the period of exemption from rent.

**Note 1:** — In the case of tram lines which have been laid at the expense of the Government in connection with the execution of works and which a number of contractors are permitted to use at a time for the purpose of conveyance of materials to the work site, hire charges shall be levied at a certain rate per unit of material conveyed, as indicated in the example given below.

	<i>Rs.</i>
Total book value of the tram lines and trucks	50,000
Hire charges at 25 per cent per annum	12,500
Hire charges per month assuming that the plant can be used for only ten months in a year excluding two months as rainy months	1,250
Taking 25 working days month, hire per day works out to	50
Average number of trucks that work in a day -	60 Nos.
At six trucks a unit, 60 trucks can convey	10 units
Hence hire per unit works out to Rs. 50/10 or	Rs. 5

In cases where hauling is provided at Government expense the recovery of charges therefor will be settled in each case as it arises.

**Note 2 :**— In the case of hire of tools and plant by the Chief Engineer, Public Health on water-supply and drainage investigation hire charges should be collected for the actual period of use of the articles and the Officers-in-charge of the investigation and other similar work should be responsible for fixing the period of levy of such charges in each case.

(9) When heavy plant and machinery is lent to private parties or to contractors for use on works other than Government works that rent charged shall be double the rate prescribed in Rule 7 above except in the case of boring tools for which the ordinary rate of 3 12/3 per cent shall be charged. (Public sector undertaking shall, be charged only 20 percent extra prescribed in Rule 7 above, G.O.Ms.No. 1052, TR &Bs, Dt. 11-9-1975).

**Note:** —Railway companies should be treated as private parties for purposes of this rule.

(10) In cases of real emergency, mamuties, crowbars, axes, baskets and other tools of like nature may be hired to Zilla Parishads, Panchayat Samithis, Panchayats or to a contractor, but such tools must be returned to the store as soon as possible after the emergency cases. The hire to be charged under this paragraph will be at the rate of 24 per cent per annum on the original cost of the tools.

**Note 1 :**— No hire charges will be levied from Zilla Parishads in respect of tools sent to those parishads from the reserve stock of famine tools in the Public Works Divisions, for use on works undertaking by them for the provision of employment for unskilled labour.

**Note 2 :**— Government tools may be lent, as a special case, to piece-workers in the Agency tracts for the execution of Government works in the Agency tracts, free of hire charges or a deposit on the responsibility of the Sub-Divisional Officers in charge of the works. If any of the tools lent be not returned, full cost with centage should be recovered from the pieceworker. The percentage deduction on intermediate bills should be sufficient to cover the value of all tools lent.

**Note 3 :**— No hire charges will be levied when tents are lent to other Public Works Divisions, Government Departments, Zilla Parishads, Panchayat Samithis, Panchayats for Public and Semi-public purposes. But any cost incurred on account of conveyance pitching etc., and of any damages caused to the tents should be collected from the Zilla Parishads, Panchayat Samithis and Panchayats. Or if the loan is to a Government Department it should be debited to the division or department concerned.

**Note 4 :**— No hire charges shall be recovered for the workshops tools and plant used by the piece-workers on the workshop jobs entrusted to them.

(11) The Chief Engineers, Superintending Engineers and Executive Engineers are empowered to hire out tools and plant and machinery to Zilla Parishads, Panchayat Samithis, Panchayats and private parties for the periods specified below subject to the conditions laid down in the above rules.

Executive Engineer	:	For a period not exceeding three months.
Superintending Engineer	:	For a period not exceeding two years.
Chief Engineer	:	For any period in excess of two years.

**341.** Floating plant not actually required for departmental purposes may be let out on hire to private persons and occasionally to Zilla Parishads, Panchayat Samithis, Panchayats, Municipalities at rates fixed by Government and on conditions laid down in the rules, issued from time to time. Previous deposit should be demanded from outsiders hiring floating plant.

Government officers may use staff boats on the payment of rent fixed and on conditions laid down in each case — see Paragraph 349.

## VII. Mathematical Instruments

**342.** Both drawing and survey instruments are stocked in the Public Works Stores, Hyderabad and Sithanagaram. The General Superintendent, Public Works Stores, shall obtain new supplies, when necessary, by calling for tenders for the supply of the instruments required from reliable local firms dealing in such instruments and also for quotation from the mathematical instruments office, Calcutta, and by purchasing the articles from the

agency which quotes the lowest rate should be considered such tender articles suitable. Instruments requiring repairs should be sent to the General Superintendent, Public Works Workshops with instructions as to disposal after repair.

*Note:-* In the case of levelling instruments required for ordinary purposes, purchases should be made only from firms approved by the Chief Engineer.

The General Superintendent, Public Works Stores should see that instruments are not stocked in excess of requirements. The General Superintendent, Public Works Stores, should see that instruments are not stock in excess of requirements and that old or obsolete stock is disposed to the best advantage of Government — vide also paragraphs 333 to 337.

### **IX. Insurance of Government Property**

**343. General :—**It is a general principle that Government bear their own risks and do not insure Government property. In the case of goods intended from abroad, insurance charges are payable by Government only when the purchase price includes cost, insurance and freight of the goods as delivered in Andhra Pradesh. If, however the goods are delivered to a Government officer in a foreign country and shipped by him to India, such goods become Government property as soon as they are taken delivery and should not be insured.

Special goods such as mathematical and scientific instruments, articles made of glass and other fragile articles, should be consigned at railway risk and they should not be insured except in case where railway companies insist on insurance as a condition of transport.

### **E — DEPARTMENTAL REVENUE**

#### **I. Sale of usufruct of trees, etc.**

**344.** Except in cases where the sale of fishery rights in inland waters specially entrusted to the Public Works Department, the fisheries in all public inland waters shall be disposed of by the Revenue Department under B.S.O.No. 211. It is the duty of the Public Works Department Divisional Officers to see that the sales of miscellaneous properties such as usufruct of trees, grass, etc., are made periodically to the best advantage of the Government. The sales should be made by public auction after the publicity has been given.

It is also the duty of the Executive Engineer to arrange for the sale or proper utilisation on works of old and full grown fuel and timber trees on lands in charge of the Public Works Department.

Executive Engineers are however authorised to grant without auction lease of usufruct of trees, grass, etc., to the village panchayats and other bodies as specified in the rules in Appendix 'X'. Such lease may be sold in public auction only after Rule 1, A and B of the said rules have been invoked and no grant of lease can be made thereunder.

**345.** As soon as the bid is knocked down (i) 25 percent of the purchase amount in the case of leases for one year or less or of leases for sums not exceeding Rs. 130, or (ii) 25 percent of the proportionate purchase amount for the first year in the case of leases for more than one year, and for sums exceeding Rs. 100 in the aggregate should be collected. The balance of the purchase amount in the first case, or the balance of the proportionate amount for the first year in the second case shall be recovered within one week from the date of receipt of the order of confirmation of the sale by the competent authority or in cases where agreement has to be taken, within one week of the lease signing the agreement

which should be done ordinarily within one week from the date of the receipt of the order of confirmation of the sale. In the second case, the amount due for each of the succeeding years of the lease shall be recovered within the first week of each year. Within the time specified in the second sentence above, a sum equal to 5 percent of the total purchase amount for the entire period of the lease shall also be deposited as security for the due fulfilment of the conditions of the lease, by the successful bidder, except in cases (a) when the total purchase amount does not exceed Rs. 100, and (b) when the successful bidder in a village panchayat who need not deposit any security in any case. In these payments are not made in due time the right should be resold then and there or fresh tender notices issued. Failure to observe this rule may result in loss to Government, for which the officers concerned will be held primarily responsible.

**Note 1** :—Before confirming sales, the officers entering into agreements should make careful enquiries regarding the solvency of the successful bidder.

**Note 2** :—The Executive Engineer concerned may at his discretion extend up to a maximum of one month the time-limit of one week prescribed in the second sentence of this paragraph for payment of the balance, subject to the following conditions

- (i) The Executive Engineer is satisfied about the solvency of the successful bidder,
- (ii) Such extension does not involve any risk to Government, and
- (iii) The successful bidder is not allowed to enjoy the usufruct until he makes the payment.

**346.** (1) Agreements for the sale of grass and usufruct of trees shall be drawn up in the prescribed forms — vide Appendix-X with necessary modifications ; when the amount of the lease for the whole period covered by the agreement is more than Rs. 100 and the period exceeds one year; in the case of other such leases, no agreements need to be taken and it will be sufficient if the conditions of the sale and of the enjoyment and the penalties for the infringement thereof are published at the time of the sale and communicated to the successful bidders. For leases of grass and fruit trees to village panchayats, however agreements in the form referred to above shall be executed in all cases irrespective of the amount and the period of the lease, together with a supplemental agreement in the form given in the same appendix to this Code.

(2) The agreements, except those taken in the cases noted in the margin should be stamped, under Article 35(a)(ii), as the case may be, of Schedule I of the Stamp Act, in respect of the amount of rent payable annually under the lease, and also under Article 35(c) in respect of the amount deposited by parties (other than the village panchayats), as security for the due fulfilment of the conditions of the lease, the amount of stamp duty being borne by the lessee

(1) In the case of leases to villages panchayats in which the annual instalment to be collected is Rs.100 or less or in which the period of lease is for one year or less whatever the annual rental may be, and

(2) In the case of leases to other parties in which the annual instalment to be collected is Rs.100 or less.

## II. Rents of buildings and lands

**347.** The rules relating to rents of public buildings and lands will be found in Chapter III of this Code and paragraphs 261 and 273 of the Andhra Pradesh Public Works Account Code.

### **III. Navigation Revenue**

**348.** The rules relating to the use of canals and public ferries and the scale of fees chargeable on account of registration, licences, wharfages, demurrages and others are contained in the notifications and navigation rules framed under the canals and Public Ferries Act of 1890, published separately and issued to the divisions concerned — vide also Paragraph 254 of the Andhra Pradesh Public Works Account Code.

### **IV. Rents and Freights of Boats and other Floating Plant**

**349.** The detailed rules relating to the assessment and recovery of the rents of boats and other floating plant in Public Works Division will be issued from time to time. It will be the duty of the Executive Engineer to see that the rents assessed are realised in accordance with those rules — vide Paragraph 341.

### **V. Public Works Department Toll-Gates**

**350.** The right to collect on Government roads will ordinarily be leased out under the orders of Superintending Engineers of circles either by public auction or by inviting sealed tenders, according to the circumstances of each case. The Chief Engineers may at his discretion run them departmentally in particular cases for special reasons.

## **F — MISCELLANEOUS**

### **I. Maintenance of Ferry Boats**

**351.** The following rules are prescribed for providing and maintaining ferry boats for the Godavari and Krishna Delta systems—

(1) The Public Works Department will provide boats (ballacuts) wherever necessary, provided the Revenue Department can arrange for their working and maintenance.

(2) Every such boat will be provided by the Public Works Department with chain, etc., to secure it properly to the bank.

(3) Each boat (ballacut) will be handed over to the village officer who will be responsible for and must make good any damage occurring to the boat or to any other boat navigating the canal by the wilful neglect or carelessness of the man placed in charge.

(4) The Village officer will arrange to appoint either a village servant or other individual to have charge of the boat.

(5) Repairs to ballacuts are executed by the Public Works Department and charged to Maintenance and Repairs of the Delta system.

### **II. Bridge over Irrigation Canals and Channels**

**352.** If the construction of a new irrigation channel interferes with an existing public right of way, the cost of construction and upkeep of the bridge to a standard adequate to the requirements of normal road traffic from time to time shall be met from irrigation funds. In cases where such bridges have to be improved or reconstructed in order to meet the requirements of increased traffic the entire cost should be met by the Public Works (Irrigation) Department irrespective of the question whether the bridge is structurally sound or not, or whether the roadway interrupted is a maintained road, a puntha or a cartrack etc., subject to the condition that the Public Works (Irrigation) Department is satisfied that such reconstruction or improvement due to increased traffic really necessary. The cost

of the increased roadway over the bridge are its maintenance should be borne by the local authority concerned. Railings, side walls and embankments up to the limit of the Public Works Department land on each side should be treated as appurtenances to the bridge and be constructed and maintained by the Public Works Department and those beyond the limits of the Public Works Department land should be treated as part of the approach road and constructed and maintained by the Zilla Parishad, Panchayat Samithis and Panchayats concerned.

### **III. Supply of Medicines**

**353.** Indents for supplies of medical stores will usually be confined to the supply of one or the other of the medicine chests provided under the Civil Medical Code for issue in particular cases, e.g., "Working Parties" etc. They should be usually submitted through the District Medical Officer or the Director of Medical Services. They should be prepared in quadruplicate, by carbon paper on D.G.I.M.S. Form No. 4 (obtainable from the nearest Civil Hospital or from the Director of Medical Services) and must be legibly written. All columns in the indent must be properly filled in.

No indents must be submitted between the 10th Feb. and 31<sup>st</sup> March as the Medical Stores Department will then be engaged in a stock-taking.

### **IV. Store Keepers**

**354.** When the stores are sufficiently extensive to require it, a store-keeper will be appointed to hold charge. The Store-keeper will have nothing to do with disbursement of cash, the supply of materials or the preparation of bills. His duties will be contained to the receipt, custody preservation and issue of the stores under charge, and to keeping the required returns relating to them.

### **G - RULES FOR DIVISIONAL WORKSHOPS**

**355.** The divisional workshops may be treated as a distinct divisions or sub-division, or they may form a portion of a sub-divisional charge.

**356.** No work should be undertaken in workshops of the department other than required for various branches of the department, except under some general or special order of Government.

**357.** No work is to be undertaken for Zilla Parishads, Panchayat Samithis and Panchayats, Municipalities or private parties before the whole estimated cost including all charges for supervision, profit etc., that may be leviable under the rules for the time being in force, has been paid to the General Superintendent or Executive Engineer, or into a Government treasury to the credit of the Public Works Department. This rule may be relaxed at the discretion of the General Superintendent or Superintendent Executive Engineer in the case of Government officers where full recovery is not open to doubt. In such cases a rough estimate of the probable cost must be prepared in advance and the officers concerned required to give an undertaking that he agrees to pay the actual charges in full on completion of the work. The full expenditure incurred must be deducted from the officer's pay for the following month. In all cases, before starting work, an undertaking should be procured from the party concerned that it will not hold the department responsible for loss by fire or theft or any other factor which could not be foreseen when the estimate was prepared. In cases where it is found that the original estimate is likely to be appreciably exceeded, a revised estimate should be prepared and the procedure outlined above adopted.

## H - TRANSFERS OF CHARGES

### I. General

**358.** An officer must not delay making over charge after the arrival of the relieving officer; nor must he without the permission of his immediate superior officer, leave the station before the arrival of his successor. The relieving officer will take up the expenditure of cash and stores from and for the first day of the month during which the relief took place, and submit the next monthly accounts in the same manner as if he has been in charge during the whole month. But the relieved officer remains responsible that proper explanation is forthcoming for transaction during his incumbency.

**359.** A register of incumbents of charges should be kept in every Divisional Office showing the period of incumbency of each officer who has held charge of the division and of the several sub-divisions, and, in each sub-division office, a similar register of the incumbents of that sub-division only.

### II. Executive Engineers and Sub-divisional Officers

**360.** The cash book or imprest account should be closed on the date of transfer and a note recorded on it, over the signature of both the relieved and relieving officers showing the cash and imprest balances and the number of unused cheques made over and received in transfer by them respectively. A copy of this note, together with the following documents, should be forwarded the same day to the Superintending Engineer in the case of Divisional or the Executive Engineer in the case of sub-divisional charges

(1) Transfer report, Public Works Department, Form No. 146, being used in the case of sub-divisional charges.

(2) Receipt of stock, tools and plant and other stores under the immediate charge of the relieved officer, Forms A and B being used for divisional and sub-divisional charges, respectively.

(3) A detailed report (Public Works Department, Form No. 42-E) on the state of surveying and mathematical instruments. In the case of transfer of divisional charges this report should be in respect of instruments at the headquarters only.

The receipts of cash and stores balances should be prepared by the relieved officer, but the relieving officer should note any inaccuracies therein so that the Superintending Engineer or the Executive Engineer, as the case may be, may pass such orders in respect of any deficient articles as may be necessary. A copy of the receipts may be given to the relieved officer, if desired by him.

#### Form—A

Received in transfer from A.B. late Executive Engineer Division the stores in his personal charge as detailed in the annexed list.

The balance returns of the stock and tools and plant in charge of all sub-divisional officers for the half-year ending and year ending respectively are on record and the divisional stock returns have been prepared to end of.....

(Station and date)

*C.D.*,  
Executive Engineer Division

**Form—B**

Received a transfer from A.B., late officer in charge, sub-division, the stock and tools and plant which have been in his personal custody, as detailed in the last balance return and accounts of receipts and issues to date.

The returns for year ended ..... the half-year ended ..... and for the month of ..... for the whole sub-division have been submitted to the Executive Engineer, and the account of daily receipts and issues for the current month has been written up-to-date.

(Station and date)

*C.D.*,  
Relieving Sub-Divisional Officer.

**361.** The relieved officer should further give the relieving officer a list and memorandum showing all the works in hand and the orders remaining to be complied with and of such matters as particularly require his attention, with full elucidation of any peculiarity of circumstances or apprehended difficulties. He should also furnish the relieving officer with a complete statement of all unadjusted claims, with the reasons for their not having been adjusted in the course and a report as to any complication likely to arise owing to their non-adjustment.

**362.** On assuming charge, an Executive Engineer will make it his business to acquaint himself with the works in progress in the division; he will examine the state of the accounts and inspect the stores. He should mention specially in his transfer report whether the accounts may be considered fairly to represent the progress of work. A Sub-Divisional Officer should in addition count, weigh, or measure selected stores in order to test the accuracy of the returns, and should minutely examine the work in progress as to their quality and as to their accordance with the sanctioned plans and estimates. He will report to his superior anything irregular or objectionable that may come officially to his notice. In cases where the relieved and the relieving Sub-divisional Officers or Executive Engineers are present to hand over and take over, the transfer of charge will be held out to be complete only after all the stores and tools and plant in the personal custody of the relieved Sub-Divisional Officer or Executive Engineer are actually counted, and handed over, and taken over. The Superintending Engineers concerned shall, under Paragraph 513 of the Andhra Pradesh Public Works Account Code, allow them such time as is reasonably necessary for such counting, handing and taking over. In a case however where the relieved officer cannot be present to hand over either by reason of serious illness or sudden death, an immediate verification of the stores in his personal custody should be arranged for by the officer taking over charge under Paragraph 365 of the Andhra Pradesh Public Works Department Code. If, the relieved officer is unable to be present on account of serious illness, he shall be required to nominate a person who will represent him during such verification and sign for him for the correctness of the check. If, on such verification any, deficiency is noticed the officer, who left the charge suddenly on account of illness, shall be held responsible for the deficiency, unless, after his recovery from illness, he is able to account for it from the accounts or other records maintained by him. If the charge taken over is that of a deceased officer, such deficiency if any, shall be written of by the competent authority.

**363.** In the case of the transfer of a division, the report of completion of transfer should, except in special circumstances, be submitted within a fortnight of such transfer.

In the case of any disagreement between the relieved and relieving officers, a reference should be made to the Superintending Engineer.

**364.** The transfer of a sub-divisional charge should, on receipt by the Executive Engineer, be scrutinized by him, any remark necessary being entered in the column provided for that purpose and returned to the Sub-Divisional Officer who, after acting on the orders received, should return to the Executive Engineer for record in the Divisional Office. The Executive Engineer is responsible for seeing that the transfer of charge is conducted properly and for reporting to the Superintending Engineer any points on which orders are required.

**365.** In the case of a divisional or sub-divisional charge becoming vacant by the death or sudden departure of the officer in charge, the next senior officer of the department present should assume charge and take action as above prescribed, forwarding to the Superintending Engineer or Executive Engineer, as the case may be, the receipts which would otherwise be given to the relieved officer.

### **III. Other Officers**

**366.** In the case of transfers of charges other than divisions and sub-divisions the Executive Engineer should issue instructions as to the work to be jointly inspected by the relieved and relieving officer.

*Note:-* In the case of all transfers of charge of sub-division and section detailed list of the component parts of heavy plant and machinery and of tramway plant should always be included among the transfer papers and that if, for any reason it is not possible to verify these lists at the actual time of transfer, they should be verified immediately afterwards by the relieving officer, who in case of any avoidable delay, will be held responsible for any deficiencies.

## **CHAPTER V**

### **Special Rules for Irrigation, Navigation, Embankment and Drainage Works**

#### **A – INTRODUCTORY**

**367.** Under the Devolution Rules, Irrigation, Navigation, Embankment and Drainage works have been classified as reserved State subjects. They are moreover subjects in respect of which definite financial limits have been placed on the powers of the State Governments. The President-exercises also in respect of these subjects statutory powers of superintendence, direction and control.

**368.** Large works are usually financed from plan and loan funds, and the State Government can borrow money in the open market, with the sanction of President.

**369.** The capital sums spent in the past by the President on the construction of irrigation, navigation, etc., works are treated as advances to the State Governments and carry interest. In the light of this explanation it will be clear that the Government of India have, even under the changed condition after the Reforms, a statutory responsibility in regard to, and a very real interest in the major irrigation works in the various states subject to such rules and orders as may be issued by the Government of India in regard to the

works dealt in the Chapter, more especially those which are beyond the powers of the State Government, the following rules are applicable.

## **B - WORKS FOR WHICH CAPITAL AND REVENUE ACCOUNTS ARE KEPT**

### **I. Production and Unproductive Works — Definitions**

**370.** Projects for irrigation, navigation, embankment and drainage for which Capital and Revenue accounts are kept are of two classes : (1) Productive, and (2) Unproductive — see Paragraph 383.

**371.** Productive public works are works of a remunerative character undertaken for the improvement of the country. The first cost is usually met from borrowed money and they are expected after a certain period to yield enough revenue to meet the interest charges on the capital and cost of working and maintenance.

**372.** Unproductive public works are those which, although not directly remunerative to the extent productive works, are calculated to guard against a probable future expenditure in relief of the population, or which are undertaken for the general improvement of the country, or for general administrative purposes.

### **II. Conditions relating to Productive Works**

**373.** To admit of a new work being classed as productive the following conditions must be satisfied

(a) There must be good reason to believe that the revenue derived from it will, within ten years after the probable date of its completion, repay the annual interest on the capital invested calculated at such rate as the State Government may fix from time to time, but in preparing a project for sanction no deduction is to be made from the total capital outlay on account of anticipated excess of revenue over simple interest calculated at the rate of productivity mentioned above.

*Note* :— Capital invested includes (I) direct charges, (2) indirect charges, and (3) all arrears of simple interest, if any, i.e., balance of total interest calculated at the rate for productivity over total net revenue.

(b) It must be susceptible of having clear Capital and Revenue accounts of it kept

(c) Its classification as a productive works must be duly sanctioned by a competent authority.

### **III. Unproductive Works**

**374.** Unproductive works have been defined in Paragraph 372. Ordinarily they are works undertaken either for employment of famine relief labour, in which case they are generally financed from the Famine Insurance Grant of Fund, or they may be works not undertaken for the employment of famine relief labour but for the general improvements of the country and financed from general revenue. Unproductive works may also be financed from Loan Funds but in this case it is important that the State Government should make provision for a sinking fund to extinguish the loan (usually within a generation) in accordance with such rules as may be prescribed by the President from time to time.

#### IV. Classification

**375.** The rules for determining (1) whether a work which has been classed as productive shall continue to be so classed, and (2) whether an unproductive work may be, reclassified as productive, are as follows, the percentage rates referred to being those prescribed for the time being and being subject to alterations at the discretion of the President:

(i) Every irrigation, navigation, embankment or drainage work for which capital accounts are kept should, until ten years after the date of the closure of its construction estimate, be classed as productive if the net revenue anticipated from it appears likely to repay, on the expiry of that period the annual interest charges on the capital invested (including direct and indirect charges and arrears of simple interest) calculated at 4 ½ per cent in the case of works sanctioned before 1st April, 1937, at 4% in the case of those sanctioned between 1st April, 1937 and 1st April, 1941, at 5 per cent in the case of those sanctioned between 1st April, 1941 and 1st April, 1946, and at 4 per cent in the case of those sanctioned on or after 1st April 1946. Conversely if it is not expected to yield the relevant return, it should be classed as unproductive. If, moreover, at any time during the period of construction, or within ten years of the date of the closure of its construction estimate, it becomes apparent that a work originally classed as productive will not actually be remunerative according to the criterion prescribed above it should be transferred from the productive to the unproductive class, and similarly if it becomes obvious, during the same period that a work sanctioned as unproductive will actually prove remunerative, the transfer of the work from the unproductive to the productive class may be effected.

(ii) Every work classified in accordance with Rule (i) above will retain its classification unchanged during the eleventh, twelfth and thirteenth years after the closure of its construction estimate.

(iii) If any irrigation, navigation, embankment or drainage work for which a capital account is kept and which is classed as productive fails, at any time after the expiry of ten years from the date of the closure of its construction estimate, in three successive years to yield the relevant return prescribed in Rule (i) above, it should be transferred to the unproductive class. A work classed as unproductive which succeeds in yielding, in three successive years, the relevant return prescribed for a productive work may, on the same principle be transferred to the productive class.

(iv) If an existing irrigation, navigation, embankment or drainage work be extended or improved, the criterion of productivity prescribed in Rules (i) to (iii) above shall be applied to the whole system, including such extension or improvement, as if the extension or improvement had been executed simultaneously with the original work, and the date of sanction referred to in those rules for the purpose of determining the percentage to be returned by the system as a whole, shall be that of the accord of sanction to the original project. As an exception to this rule if any extension be, owing either to its nature or magnitude such as may reasonably be considered to be a separate project and if it be susceptible of having clear Capital and Revenue accounts kept of it, as distinct from those of the project as a whole, it should be treated as separate project and in that case, the conditions relating to original projects and not those relating to extensions and improvement shall be applicable. In all such cases, separate Capital and Revenue accounts should be maintained for the extension in order to enable the productive test to be periodically applied.

(v) Rules (i), (iii) and (iv) are, however, subject to the proviso that the State Government may postpone the transfer of a work from one class to the other in cases in which it is satisfied that its success or failure is due to purely transient causes.

**376.** For the purpose of determining the productivity of an old work which has been developed by the Central Government only the capital expenditure expended by that Government should be regarded as the capital at charge on which interest is chargeable.

**377.** The transfer of a work from the productive to the unproductive category, or vice versa will effect the recording of all future transactions in connection with it. No adjustment will be made in the general accounts in respect of post transactions, but the necessary transfers will be effected by the Accountant-General in the Pro-Forma accounts of the work in question; but, see the State Government (Borrowing) Rules framed under the Government of India Act, and Rule 10(a) of the Auditor-General's Rules (Appendix-I of the Andhra Pradesh Public Works Account Code).

#### **V. Principles for determining what expenditure is chargeable to Capital and what to Revenue**

**378.** Irrigation and navigation works are generally of a revenue producing character. Large works being usually financed from borrowed money, it is essential to see how they are working and for this purpose a Capital and Revenue account has to be maintained showing the total cost of construction, extensions and improvements, as well as the gross revenue and the cost of working and of maintenance.

**379.** The principles to be observed in deciding whether an item of expenditure should be charged to Capital or to Revenue are as follows

(a) Capital bears all charges for the first construction and equipment of a project, as well as charges for maintenance on sections not opened for working and charges for such subsequent additions and improvements as may be sanctioned under the rules by competent authority.

(b) Revenue bears all charges for maintenance and working expenses, which embrace all expenditure for the working and upkeep of the project as also for replacements and for minor additions or improvements, as it may be considered desirable to charge to Revenue instead of increasing the capital cost of the undertaking.

(c) In the case of renewals and replacements of existing works if the cost really represents an increase in the capital value of the system and exceeds the cost of the original work by Rs. 1,000 the cost of the new work should be divided between Capital and Revenue the portion debited to the latter account being the cost of the original work, which should be estimated if the actual cost is not known, and the balance charged to capital. In other cases, the whole cost of the new work should be charged to Revenue. Thus, a renewal which does not represent a substantial improvement, of the original works but which is in all material essentials the same as the latter, although it may exceed the cost of that work by more than Rs. 1,000 should not be charged to Capital but to Revenue Account.

(d) When the construction estimate of a project for which a separate Capital account is kept is closed, the expenditure on works of extensions will be charged thus

(i) Estimates exceeding Rs. 1,000 for (1) works which are in themselves directly remunerative, such as new distributaries, mills or works for increasing the canal discharge, and (2) works which are necessary for the full development of a project, but which are not in themselves directly remunerative shall be charged to the Capital account.

(ii) Estimates amounting to Rs. 1,000 or under shall be charged to the Revenue account under extensions and improvements.

(iii) All estimates for works which are neither remunerative in themselves for considered necessary for the development of the project shall be charged to the Revenue account under extensions and improvements.

(e) Where outlay is of a nature under these rules does not appertain to Capital, it is not, under any circumstances and whatever its magnitude to be charged to Capital.

#### **IV. When Capital and Revenue Accounts should be kept**

**380.** Capital and Revenue accounts should be kept of all new irrigation and navigation works whether entirely constructed or merely remodelled and restored by Government, the estimated capital outlay on which more than Rs. 10 lakhs inclusive of establishment and tools and plant charges, and of works costing less than Rs.10 lakhs in case the Government specially order to that effect, provided there is good reason to anticipate that the revenue derived there from will more than cover the working expenses, direct and indirect.

**381.** If for any reason a project of which the estimated capital outlay is over Rs. 10 lakhs is considered to be of insufficient importance to justify the maintenance of a Capital account or if any difficulty be anticipated in ascertaining the correct revenue it may with the sanction of Government, be classed as a work for which neither Capital nor Revenue Accounts are kept.

#### **C - WORKS FOR WHICH ONLY REVENUE ACCOUNTS ARE KEPT**

**382.** There are no works of this class in the Andhra Pradesh State.

#### **D - WORKS FOR WHICH NEITHER CAPITAL NOR REVENUE ACCOUNTS ARE KEPT**

**383.** Under this head are grouped a large number of works, mostly tanks, which while collectively of great importance, are individually, too small to make it worth while to maintain separate accounts for each work. All expenditure on such works whether on the construction of new works, extension and improvements or on repair and maintenance of existing works are booked under the head 18(A)(1) or (B)—Works of which neither Capital nor Revenue accounts are kept, as the case may be, Such works cannot be classified as either productive or unproductive in the absence of Capital and Revenue accounts see Paragraph 370.

#### **E — MINOR IRRIGATION WORKS IRRIGATION LESS THAN 200 ACRES**

**384.** Collectors are in charge of the maintenance of all Minor Irrigation works irrigation less than 200 acres excepting such of them as have been specially kept under the Public Works Department. All works connected with these with the exception of those requiring professional skill and ability are executed by the Revenue Department out of funds placed at its disposal. The expenditure on works requiring professional skill and ability will be incurred in the Public Works Department out of the funds placed at the latter's disposal. The Collector should give timely intimation to the Executive Engineer in regard to such works so as to provide funds in the Public Works Budget estimates.

**F — INVESTIGATION OF NEW IRRIGATION SCHEMES**

**385.** The Irrigation Development Board, which consists of the two Commissioners of Land Revenue and Settlement, the Chief Engineer for Irrigation and the Director of Agriculture, guides the investigation of an irrigation project at every stage both the preliminary investigation under Paragraph 390 and the complete investigation under Paragraph 391. The functions of the Irrigation Development Board are purely advisory and its existence does not relieve the heads or other officers of the Revenue, Public Works or Agricultural Departments of their individual responsibilities. It is open to the Irrigation Development Board to call for any reports from the heads of the three departments concerned, viz., the Board of Revenue, the Chief Engineer for Irrigation and the Director of Agriculture, and to make to them such suggestions as it finds desirable for the close co-ordination of the activities of the three departments in connection with the investigation of a project. The Irrigation Development Board examines the proposals made by every department concerned for both preliminary and complete investigations and satisfied itself that the investigations proposed are adequate but not excessive, that any special staff asked for by any of these departments is really necessary to make the proposed investigation and that any special staff sanctioned by Government is not employed earlier or longer than is necessary having due regard to the general outline of the investigation or project and to the work to be done in the other departments.

**386.** (i) Irrigation schemes costing upto Rs. 20,000 should be finalised by the Executive Engineer and the Collector concerned and submitted to the competent authority for administrative approval.

(ii) Schemes costing up to rupees one lakh should be investigated simultaneously by the Executive Engineer and the Collector concerned on the technical and revenue aspects respectively wherever feasible and submitted to the Chief Engineer, who in cases where he modifies the scheme then put up, may obtain the views of the Collector on the modified schemes and if the scheme required the sanction of the Government, submit it to the Government direct without a reference to the Board of Revenue.

(iii) Schemes costing more than rupees one lakh should be investigated simultaneously by the Executive Engineer and the Collector concerned on the technical and revenue aspects respectively wherever feasible and be submitted to the Chief Engineer who in cases where he modifies the schemes, may obtain the views of the Collector on the modified schemes and submit them to the Government through the Board of Revenue, whose function will only be to go into the financial aspects and any other matter brought to its notice by the Collector.

*Note:-* In all the above cases, the Collector should particularly consider the point whether distribution of water or ryots' interests are affected by the scheme.

**387.** The detailed investigation of schemes costing Rs. 10,000 or under including the restoration of ruined tanks or tanks long is dis-use should not be made unless a return of 5 per cent on the proposed outlay for "works" is anticipated or unless the work is justified as a protection against famine or for any other special reasons.

**388.** Superintending Engineers may deal finally with all repairs under tank restoration schemes. Works which are not bona fide repairs and which are calculated to raise the efficiency of tanks should be dealt with under the above paragraph.

## G — DEBIT OF EXPENDITURE ON INVESTIGATIONS

**389.** Expenditure on the investigation of a new Irrigation project productive or unproductive should be accounted for under the minor head “Other charges” under the major head “18. Other Revenue Expenditure financed from “Ordinary Revenue Miscellaneous Expenditure”. The other minor heads “Establishment and Tools and Plant” are intended for record of charges of the cost of establishment and tools and plant employed on such investigation. When the project are actually taken in hand the Accountant-General makes the necessary adjustments to transfer such expenditure to the Capital account if such account is kept for the work.

## H - PREPARATION OF PROJECTS - IRRIGATION WORKS

### I. General

**390.** The preliminary investigation of a project by the Public Works Department should be limited to the collection, by inspection preliminary field work and enquiry, of the data required for arriving at an approximate estimate of cost and at a decision whether the project is likely to be feasible and should be further investigated with a view to its eventual execution. The report on the preliminary investigation should include a general description of the proposed work and an approximate estimate of the cost of the project and if the complete investigation of the project is recommended a general description of the line of the investigations to be made and an estimate of their cost considering the work to be done in all the departments concerned and not only in the Public Works Department.

The following points should be dealt with particularly in the report

(a) The amount of water available, having regard, when necessary, to the possible claims of other States to the interest of existing irrigation under the source proposed to be tapped whether in this or in the other State and to the rights of other riparian owners of Lands Irrigated Lower down;

(b) the approximate extent of the ayacut of the project and its general location;

(c) the existing sources of irrigation in the proposed ayacut (e.g., tanks, old wells), the suitability of the soil for irrigation;

(d) the rainfall and its distribution throughout the year;

(e) the level of sub-soil water at various seasons as indicated by wells in the proposed ayacut;

(f) the nature of the crops to be irrigated the duty of water at the field and at the head-works and the allowance made for seepage and evaporation in the channels;

(g) a description of the distributory channel in which, in the case of larger works, should be accompanied by a longitudinal section;

(h) any measure which may be necessary for the protection of the ayacut from floods from outside it, such as river flood banks;

(i) the existing drainage facilities in the ayacut and the works to be undertaken;

(1) to ensure that the drainage courses are made sufficient to carry off not only the floods which occur from time to time owing to local rainfall but also the additional water which will be placed on the land by the proposed project;

(2) to enable the drainage water from the fields in the ayacut to reach the drainage courses without having to pass over cultivated land for an under length;

(j) the adequacy of the existing communications and the provisions of additional communications and the agency by which they should be provided;

(k) a rough estimate of the cost of special staff in the various departments concerned

(1) for making a complete investigation,

(2) for carrying out the works; and

(3) for expediting the development of irrigation after the works are completed.

(l) the sources from which labour can be obtained;

(m) a description of the healthiness of the tract in which the works are to be carried out and the need for and cost of special measures to safeguard the health of those to be employed on the construction of the works, and of housing accommodation and other amenities for them.

In the case of a storage work the report should include

(n) a general description of the catchment;

(o) the run-off at the site of the proposed reservoir with data on which the available supplies are calculated;

(p) the approximate capacity of the reservoir;

(q) a general description of the soil and sub-soil of its bed in porosity of the bed;

(r) the materials of which it is proposed to construct dam;

(s). a longitudinal section and a few cross-sections of the dam with sketches of the profiles proposed for adoption;

(t) a general description of the soil and sub-soil at the site of the proposed dam and their porosity, the suitability of the foundation of the proposed dam and the possibility of leakage under it or round its flanks;

(u) the proposed surplus works;

(v) the materials required and those available for the construction and the localities from which they can be obtained; and

(w) a recommendation whether an examination of the site by a geological expert is necessary or not.

The report should also include a preliminary financial forecast including an estimate of the rate of water cess, which will have to be charged in order to make the project remunerative. Provision being made for the acquisition of land and the execution of channels at the cost of Government for large blocks of land for any works that may be necessary to ensure adequate protection from floods and drainage of the land to be irrigated. The ryots of all land within each district block of such extent not exceeding 100 acres as prescribed in Andhra Pradesh Irrigation (Construction and Maintenance of Water Courses) Act, 1965, or any other extent as may be revised from time to time in the ayacut of any

irrigation work shall be liable to construct for themselves subject to such conditions as may be prescribed and maintain at their own cost, water courses required for the supply of water to their lands from the distributaries of irrigation work for irrigation purposes and for the discharge of waste or surplus water from those lands in accordance with such directions as may be issued by irrigation officers.

If they fail to do it for themselves the irrigation officer, after duly securing the land need for the construction of water course in accordance with the procedure prescribed in the said Act, shall do it and recover the cost from the beneficiaries. The maximum area of a block to which the channel under the proposals made are to be excavated at cost of Government and the normal area to be served by a field channel should also be given. These should be estimated on the understanding that the Government will control the distribution of water only in and from the channels to be excavated and maintained at the cost of Government and not from the field channels and that land for field channels is acquired by Government only to facilities and expedite the development of the project of mitigating the difficulty which ryots may have in obtaining permission from upper ryots to the water through or over their land. The preliminary investigation should be made in close collaboration, with the local Revenue and Agricultural Officers.

The opinion of the local Revenue Officers should particularly be obtained as to the desirability of necessity of the projected work the fairness of the rate of water cess proposed, and the probability of the anticipated financial results being realized. The opinion of the local Agricultural Officers should be particularly obtained as to the kind of crops that are and could be raised in the area and the suitability of soils and the adequacy of their irrigation with the supplies that the project will make available as who on the question whether from the economic point of view the ryot could pay for such irrigation the rate of water cess proposed; in this connection the cost to the ryot of preparing his land for irrigation should be considered. The question whether legislation would be necessary to ensure the realization of the water cess at the rate proposed should be examined and there should be a definite recommendation on this question. The views of the ryots in general on the proposed work and on the proposed rate of water cess should also be incorporated in the report. For this purpose, large meeting of the leading ryots concerned or the representatives including village officers should be convened at Central places in the project area, and the details of the benefits of the project should be explained by officers of the three departments to the ryots of the area to be benefited by the project. If at any stage of the investigation it is considered that the work is not physically or from an Agricultural point of view, feasible or that its Cost will be so high as to be unremunerative unless water cess is levied at a prohibitive rate or that negotiations should be undertaken first with any other Government of that for any other reasons, the orders of Government should be obtained before further expenditure is incurred, the investigation should be stopped and a report submitted through the Irrigation Development Board to Government for orders, whether it should be proceeded with.

**391.** Should it be decided that a complete investigation should be undertaken, a fuller investigation of all the points mentioned in Paragraph 390 should be undertaken and reports, plans and estimates should be prepared with full details as required under Paragraphs 392, 393, 395 and 396 below. Levels must be taken in sufficient details over the whole area. The ayacut should be definitely fixed by the Public Works Department and Revenue staff on the assumption that all the ryots concerned will agree to have their lands included in the ayacut after making the allowance or the reservation, if necessary, of land for new

roads, village sites or other public purposes. The main and minor distributory channels including field channels should be aligned; the occurrence of the ryots to the inclusion of their lands in the ayacut and to the proposed rate of water-cess should be obtained in the form of written statements or agreements by the Revenue Divisional Officer or other Revenue Officer deputed for the purpose to work with the Public Works Department, for this purpose, the station of the sluice or pipe through which it is proposed that water should be supplied by the Public Works Department for the irrigation of each field, the proposed alignment of the field channel and the level at which the water will be supplied must be indicated approximately to the ryot concerned; several ryots may sign one statement relating to several fields in one village, provided it is made clear to which field or fields the signature of each ryot relates; should a small group of ryots be generally unwilling to have their lands included in the ayacut, the question of including another area in the ayacut instead should be considered should there be a general unwillingness on the part of all or a great majority of the ryots in the proposed ayacut to agree to the inclusion of their lands in the ayacut and to the proposed rate of water-cess, the orders of Government should be obtained through the Irrigation Development Board as to whether the investigation of the scheme should be proceeded with or not; should there be a general desire on the part of the ryots as evidenced by their written statements that the project should be carried out or should the Government order that the investigation be proceeded with the ayacut should be definitely fixed by the Public Works Department staff and marked in the survey plans, the land of ryots who has expressed unwillingness to have their land included in the ayacut being excluded as far as possible and ayacut registers should be prepared by village and permanent permits should be tendered to the ryots by or in the presence of a gazetted officer of the Public Works or Revenue Department. Should any ryot refuse to accept a permit, when tendered, the permit should be cancelled and the land excluded from the ayacut register and other land should, if possible, be substituted for it in the proposed ayacut. When the ayacut is finally settled the alignment of canals, and distributaries and field channels should be revised, if necessary, the cost of all main canals and branch channels exceeding 20 miles in length should be estimated in detail; the cost of other typical branch channels and distributaries should be estimated so as to obtain an average rate per mile of distributary which can be applied to other branch channels and distributaries, the cost of which is not estimated in such detail. During the investigation, land plans and scheduled for lands to be acquired for channels, etc., may be prepared and preliminary notifications under the Land Acquisition Act may be issued, but care should be taken to see that no measures are adopted which would actually commit the Government to the expenditure of money on the execution of the project. The sites of bridges over irrigation canals, etc., should be settled in consultation with the Zilla Parishads, Panchayat Samithis and Panchayats. The Chief markets for the agricultural products of the district as well as the existing trade routes and railways should be enumerated and definite proposals made as to the additional communications and facilities for marketing required as well as the agencies by which these should be provided. The report on the complete investigation should include a revised financial forecast.

It is very necessary that the local Public Works Department Officers should exercise very careful foresight in framing estimates of the cost of works. It is the duty of the Superintending Engineer and Executive Engineer in preparing or scrutinizing an estimate to consider carefully the local conditions and the details of the methods by which it is proposed to carry out the work and to satisfy himself that the estimate make adequate

provision for all requirements which can be foreseen. The exercise of special care is necessary in the case of estimates for productive work since the decision to proceed with them or not must greatly depend on the estimated cost of carrying them out.

**392.** A general description of the proposed works should follow, including the sources from which the supply of water is to be drawn, the quantity of water available at different periods of the year, and the quantity it is proposed to utilise, also the character of the sediment brought down whether likely to fertilize or the reverse, the area of land commanded, the average area usually cultivated, and the area probably irrigable; the lengths of main channels and distributaries and, if navigation be also contemplated, the length of the navigable portion.

The quantity of water allotted to each main channel and the area irrigable there from in tabular form, the dimensions of the channels and the works on each being entered in PWD, Form No. 155-A.

The reason for the adoption of the particular scheme recommended in preference to any other: and a full account of the cases on which realignment of channels and other portions of the design have been projected with a careful analysis of any engineering questions involved.

The question of labour and the sources whence it is obtainable, and the probable effects of the operations on the existing rates.

The localities whence materials are obtainable, and the facilities for manufacture, with the probable rates; the results of any experiments on the quality of lime, the character of brick, clay etc.

The methods proposed for carrying out the work, and the establishment probably required.

The executive division into which it is proposed that the works should be divided and the time which will probably be occupied in construction.

In the case of projects which required the sanction of the Secretary of State and for which Capital and Revenue accounts will be kept, the returns expected from work (in P.W.D., Form No. 155) and the basis on which they are calculated.

## **II. Particular instructions as regard Storage Projects**

**393.** The report should, in addition to the information specified in Paragraph 392, give the area of the tank, and contents when full, the area of land commanded and irrigable, the length of the dam, its maximum height, material of which it is proposed to construct it, form etc., length of surplus weir or weirs, and the mode in which the water is to be let off for irrigation. The question of the available water-supply, number of times the reservoir will probably fill during the year, rainfall and proportion flowing off the catchment, character of soil and general slopes of the country, losses by evaporation and absorption and issues of compensation water, quality of the water, depreciation of storage capacity owing to silt deposit, etc., should be fully dealt with, as well as the quantity of flood water for which provision must be made, and the water of the escape weirs.

## **III. Irrigation Projects affecting Indian Sites**

**394.** Delete.

#### IV. Embankment

**395.** In the case of new lines of embankment it is necessary, that the report should show clearly the financial responsibility of Government in connection therewith and the manner in which it is proposed that the outlay shall be recovered.

#### V. Project Estimates

**396.** The complete estimates for a project should include indirect as well as direct charges. The main headings are as follows

##### Direct charges

1. Works (including surveys and special tools and plant).
2. Establishment (Including leave allowances).
3. Tools and Plant (ordinary).
4. Pensionary charges.

**Indirect charges** :—Capitalization of abatement of land revenue on area occupied by works calculated at twenty years purchase.

The items included under the head “Works” should be classified under the prescribed main and sub-heads of account. The cost of surveys including expenditure incurred, prior to the submission of the project, should be included in the estimate.

Provision should be made in the estimate for establishment tools and plant and pensionary charges as follows:

**Establishment** :—(Including leave allowances), 25 per cent on the estimated works outlay.

**Tools and Plant** —Two Per cent on the estimated works outlay (Ordinary).

**Pensionary charges** —(a) In the case of large projects for which special establishments are employed and charged to the projects, such percentage as may be fixed by the Government from time to time on the total salary and leave allowances of the pensionable establishment employed on the project and the rates prescribed by the Government from time to time for large projects may be adopted.

(b) In the case of small projects or open capital works which are carried out by the regular Public Works Department establishment and which in consequence are debited with the prorata charges for establishment calculated under the rules in Appendix 7 to the Andhra Pradesh Public Works Account Code, such percentage as may be fixed by the Government from time to time on the gross establishment charges.

**Note** :— The term “Pensionable Establishment” referred to in (a) above also includes such portion of the temporary staff which may be estimated by Government to have the likelihood of ultimately being made permanent.

Provision should also be made in the estimate of a project for which capital and Revenue Accounts are kept for the levy of one percent on the estimated works outlay for audit although this levy is made only in the proforma accounts of the works and not in the regular accounts of the State.

**Note 1** —These orders will take effect from 1st April, 1933.

**Note 2** :—In the case of irrigation projects for which neither Capital nor Revenue accounts are kept, it is unnecessary, except in the case of large surveys for new irrigation projects referred to in Rule 13 of Appendix 7, Andhra Pradesh Public Works Accounts Code, to enter provision for establishment and tools and plant in the estimate unless or any reason, it may be deemed desirable to do so in order to forecast the ultimate result of the project.

## VI. Sanction to Projects

**397.** The powers of sanction of the State Government have been defined in Chapter VI. Projects beyond their power require the sanction of a President which should be obtained through the Government of India in the manner prescribed in the rules issued by the Government of India in their letter No.I.R. 39, dated 6th July, 1929.

It is open to the State Government to seek the advice and assistance of the C.W. & P.C. of the Government of India even in regard to project wholly within their own powers of sanction. Such consultation may be held informally between the State Government (or their responsible officers) and the C.W. & P.C.

**398.** Superintending and Executive Engineers to the extent specified in Paragraphs 420 (b), 423(a), 430(b) and 432(a) are authorised to sanction detailed working estimates against the provisions under each head sanctioned in the project. For its purpose ascertained savings in the provision for works may, subject to the limitations imposed in Paragraph 182 and Rule 24 of the rules issued by the Government of India in their letter No.I.R./39, dated 6th July, 1929, be transferred from one sub-head to another of the same main head under the orders of the Superintending Engineer, and from one main head to another under those of the State Government except that savings under the head “Distributaries” may not be delivered to any other head.

**Note** :- As audit of the charges for establishment and tools and plant (Ordinary), is not conducted against the provision made in project estimates, such provision will not be available for transfer to other heads.

[G.O.Ms.No. 1458, P.W.D., Dt. 11-6-1966]

A Superintending Engineer may transfer ascertained savings from any one portion the projects to another within the sanctioned estimate in respect of works costing Rupees one crore and below. In all other case, the diversion of savings from one part of the projects to another part should be done with the prior approval of the Chief Engineer provided that

(i) such diversion from one item of the project to another item within the same project should not raise the approved estimate of the latter item whether the powers to such diversion vest in the Superintending Engineer or with the Chief Engineer; and

(ii) such diversions should not apply to the savings under the items “Unforeseen works”, “Contingencies” and “Establishment” charges in the estimate of works.

## VII. Closure of Construction Estimate

*(Productive and Unproductive)*

**399.** It is not possible to define exactly the period at which the construction estimate of an “Irrigation or Navigation” work for which capital accounts are kept should be closed; but unless specially ordered otherwise, it should be closed as soon as the project is practically in full operation, although there may be works such as drainage cuts protective embankments,

distributaries, etc., provided in the construction estimate which it is not desirable or economical, to construct at once.

A date for the completion of the construction, on which the sanction loans unless extended, must be assigned with each sanction.

**Note:-** Executive Engineers are empowered to sanction the extension of the dates of completion of works estimates for which have been sanctioned by the State Government, or the Chief Engineer for Irrigation, as the case may be, under the Open Capital Accounts Rules, a report of each such sanctioned by them being made to the Superintending Engineer.

**400.** For the purpose of providing for expenditure debit to Capital after the closing of the construction estimate of an irrigation project such works will be classified into two classes

(i) Works which are necessary for the full development of the project, but which are not in themselves directly remunerative, e.g., drainage cuts, protective embankments overbridges, inspection houses, etc.

(ii) Works which are directly remunerative in themselves.

**Examples :-** New distributaries facilities for navigation works to increase the canal discharge etc.

### VIII. Completion Reports

**401.** When the construction estimate is closed, a completion report of the project should be submitted through the Irrigation Development Board to Government within 12 months or such earlier period as the Chief Engineer may prescribe comprising the following documents—

(a) A Statement (Schedule A) showing, by main heads and sub-heads of the Capital Account, the actual expenditure on works completed upto the date of the closure of the construction estimate.

(b) A Statement (Schedule B) of works which are within the scope of the sanctioned estimate and of which detailed estimates have been prepared and sanctioned by competent authority but which were incomplete or had not been begun on the date of the closure of the construction estimate.

(c) A Statement (Schedule C) of works sanctioned between the date of closing of the construction estimate and the time submitting completion report.

(d) A Statement (Schedule D) of work for which no estimate have been sanctioned up to the date of the submission of the completion report but probable expenditure on which can be foreseen and which are necessary to complete the Project.

(e) A Statement (Schedule E) compiled as a combination of statements A,B,C and D showing revised forecast of expenditure. This statement should also shown for purposes of comparison of the sanctioned estimate by main heads and sub-heads of the Capital account.

(f) A report on the works executed upto the time of the closure of the construction estimate. This report will discuss the financial results already attained and expected in the future and the general prospects of the projects and should be accompanied by forecast Financial Statement I-IV in Public Works Department, Form No. 155, based on Schedule E and i.e., on the total anticipated ultimate expenditure on the project.

(g) An index may showing the canals and distributaries as completed.

(See also Rule 33 of the rules issued by the Government of India in their letter No.NI.R. 39, dated 6th July, 1929, in the case of Works sanctioned by the President).

**Note 1** :— It is essential that all important uncommenced works which are with in the scope of the sanctioned estimate should be included in Schedule B, C or D, as the case may be except that works included in a substantial sanction of project which may have been abandoned even though provisionally may be omitted provided that the total amount of the sanctioned estimate as entered in Schedule E is reduced by the aggregate assumed cost (including contingencies) of the works included in that section – *vide* Paragraph 182).

**Note 2** :—The Superintending Engineer will maintain a register in Public Works Department, Form No. IX-5 of competent works in the case of all the Irrigation works in charge of the Department in the Circle. The Executive Engineer will maintain a similar register in the case of all Irrigation works in his division.

**402.** The Schedule B will be treated as a revised forecast of expenditure against the sanctioned project. When the expenditure entered in it is within the powers of sanction of the State Government the completion report will be passed by them. When, however, the expenditure is beyond their power of sanction, Rule 35 of the rule issued by the Government of India in their letter No. 1.R. 39, dated 6th July, 1929, is applicable.

#### **IX. Capital expenditure after closure of construction estimate before submission of completion report**

**403.** In the case of project sanctioned by the State Government they have full power to incur capital expenditure on works so long as the total expenditure on the project is within Rs. 50 lakhs before the submission of the completion report.

#### **X. Expenditure after the approval of completion report**

**404.** The State Government have full power to sanction estimates for further works described in Paragraph 400 up to a limit of Rs. 50 lakhs, if, subsequent to the approval of a completion report, it be found necessary to construct them on each such works.

**Note** :— This rule is applicable, also estimates sanctioned by the President, vide the rules issued by the Government of India in their letter No.I.R. 39, dated 6th July, 1929.

**405.** The State Government should maintain a register (Public Works Department, Form No. 154) with reference to each project showing the approval accorded by such authority the President or the State Government as the case may be, and such subsequent sanctioned against Capital and the date when each sanction lapses.

#### **IX. Rules governing the submission of estimates for and the construction of Irrigation Works, the cost of which exceeds the powers of sanction of State Government**

**406.** The Government of India have issued in letter No.I.R. 39, dated 6th July 1929, revising rules on the subject.

(They have not been printed in this Code).

## CHAPTER VI

### Powers of Sanction

#### A - POWERS OF GOVERNMENT

##### I. Fundamental Conditions

**407.** The powers of Andhra Pradesh Government and of authorities subordinate thereto, in respect of Public Works Expenditure other than on establishment are detailed in this chapter. Subject to the observance of the rules prescribed by the President and communicated with the Government of India, Finance Department, Regulation No. 1449- E.A., dated 29th September, 1922 (vide Paragraph 411 below) and subject also to the provision to Section 72-D of the Government of India Act, the President has full power to sanction expenditure upon Reserved State Subjects and with the consent of the Finance Department to delegate such power upon delegation of such conditions as he may think fit to any officer subordinate to him. Similarly the powers of Sanctioning Transferred Expenditure and of such power are laid down under Sections 27 and 28 of the Devolution Rules. The powers of a State Government in respect of Agency subjects (Public Works Department have been prescribed in the Government of India, Finance Department, letter No. 2044 E. dated 19th December, 1921 etc., which have been embodied as Appendix I to this Code.

**408.** In all cases in which there is reason to do but whether any expenditure is within its competence to sanction in, the State Government should before sanctioning the expenditure invariably obtain a report from the Accountant-General showing whether the expenditure is within its powers of sanction. Any objection raised by the Audit Officer in this respect to any order issued by a State Government should be submitted for the orders of Government of India, together with a copy of the Audit Officer's Statement of objection, with the exception that the State Government as, in certain circumstances, remit disallowances by Audit Officers under Rule 14 of the Auditor-General's Rules embodied in Appendix-I of A.P.P.W.A. Code in regard to State expenditure and Article 228 of the Civil Account Code, Volume I, in regard to Central Expenditure.

**409.** A group of works which forms one project shall be considered as one work, and the necessity of obtaining the sanction of higher authority to a project which consists of such a group of works is not avoided by the fact that the cost of each particular work in the project is within the powers of sanction of the State Government. But this restriction does not apply to the case of Irrigation projects, the construction estimates of which have been closed further Capital outlay on which is being incurred under the rules for open Capital expenditure.

##### II. Reports of probable excesses

**410.** Whenever it is foreseen that an estimate sanctioned by the Government of India or by the President is likely to be exercised, and that such excess will in all probability not be within the powers of sanction of the State Government under Paragraphs 21, 41 and of Appendix I and Rule 26 of the rules issued by the Government of India in their letter No.I.R. 39, dated 6th July, 1929, the anticipated excess should be at once advised to the Government of India, who will if the excess requires the sanction of the President, immediately make a report thereof to him, without waiting for a revised estimate which

should be submitted in due course by the State Government to the Government of India. An immediate report to the Government of India is also required in those cases in which total expenditure including the actual or probable excess, on an estimate sanctioned by the State Government within its powers, is likely to amount a sum in excess of that which the State Government is empowered to sanction. See also Paragraph 182.

No excess over a revised estimate sanctioned by the President can be sanctioned by any lower authority.

**Note** :— The above paragraph applies only to irrigation works, the Governor’s residences and Central Works.

### III. Revised State Expenditure

**411.** From 1st April, 1937 the expenditure on works is classified either “Partially excluded areas

The agency tracts (i.e., certain areas in the Northern circars) have been declared to be “Partially excluded areas” and expenditure on these tracts has to be provided for separately in the demand for expenditure.

The expenditure relating to works and repairs on Governor’s residences and the High Court is treated as “Charged on the Revenues of the State”.

#### Expenditure on Governor’s Residences

Except with the special order of the President, which must be obtained in advance, the amount of the expenditure incurred on the maintenance, improvement, renewal or replacement of the Official residences of the Governor shall not in any one year exceed the amount specified in the table below provided that the Governor may, without exceeding the maximum specified in the said table, re-appropriate whenever necessary, from or to one sub-head of the said table to or from another sub-head thereof

	<i>Rs.</i>
(1) Improvements	50,000
(2) Maintenance and repairs:	
(a) Gardens	49,000
(b) Electricity	55,000
(c) Water	18,000
(d) Taxes	65,000
(e) Repairs	1,03,000
	Total : 3,40,000
	_____

**Note** :— The term “Expenditure” occurring in the last paragraph represents actual works expenditure only and does not include the overhead charges such as charges for establishment and tools and plant.

### IV. Transferred Expenditure

**412.** The relevant sections of the Devolution Rules have been reproduced below:

28. (1) The powers of the State Government under the preceding rule to sanction expenditure, may be delegated by the State Government to an authority subordinate to it, after previous consultation with the Financial Department, to such an extent as may be required for the convenient and efficient despatch to public business.

(2) Any sanction accorded under these rules shall remain valid for the specified period for which it is given, subject in the case of voted expenditure, to the voting of grants in each year.

### V. Famine Relief Works

**413. Famine Relief Works** :—(i) The State Government have provided for the establishment of a statutory fund known as the Andhra Pradesh Famine Relief Fund and the rules governing which are found in the Andhra Pradesh Famine Relief Fund Act.

(ii) The fund may be utilized on—

(a) the relief of serious famine, and

(b) the relief of distress caused by serious drought, flood or other natural calamities or when the fund exceeds Rs. 40 lakhs, the excess may be utilised to meet expenditure on protective irrigation works or other works for the prevention of famine.

(iii) The State Government have issued a Famine Code for the guidance of officers and other while employed on famine duty.

### VI. Powers of Re-appropriation

**414.** (1) After grants have been voted by the Legislative Council—

(a) the Finance Department shall have power to sanction any reappropriation within a grant from one major, minor or subordinate head to another; and

(b) the Member or Minister incharge of a department shall have power to sanction any reappropriation within a grant between heads subordinate to a minor head which does not involve undertaking a recurring liability provided that a copy of any order sanctioning such a re-appropriation shall be communicated to the Finance Department as soon as it is passed.

(2) The Finance Department shall have power to sanction the delegation by a Member or Minister to any officer or class of officers of the power of re-appropriation conferred on such Member or Ministry by clause (1)(b) above.

(3) Copies of orders sanctioning any re-appropriation which does not require the sanction of the Finance Department shall be communicated to that department as soon as such orders are passed.

### B - POWERS OF CHIEF ENGINEER

**Please Note** :—The limit of powers are enhanced in G.O.Ms.No. 1007, Tr.&B., dated 5-11-1976 and they are printed along with the existing Para 415.

415. The following powers have been delegated to the Chief Engineers (Roads and Buildings):

#### I. Sanction to Estimates

<b>(a) Administrative Approval</b>	<b>Limit of Powers</b>
(i) To accord administrative approval to estimates for works required for his department (other than residential buildings and electrical works)	Rs. 30,000
(ii) (a) To accord administrative approval to additions, improvements and alterations to electrical works in non-residential buildings	Rs. 5,000
(b) To accord administrative approved to additions, improvements and alterations to electional works in residential buildings subject to conditions laid down in Paragraph 445	Rs. 1,000
(c) To accord administrative approval to construction of latrines or Septic tanks in the residential buildings	Rs. 1,000
(iii) Contribution works	Rs. 10,000
(iv) Sanction of estimates for the purchase of "Tools and Plant" and "Livestock" within the limit of budget allotment	Full powers

#### **(b) Technical Sanction**

(v) To accord technical sanction to detailed estimates for works upto a limit of	Full powers
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[Full powers subject to the condition that the Chief Engineer should inspect all works costing over Rs. 10,00 lakhs before according technical sanction to them.]

#### **(c) Excesses over Estimates**

To deal finally with all excesses of not more than 5 per cent of the amounts or original estimates sanctioned by him or by a higher authority. The Chief Engineer may also pass excess expenditure up to a limit of Rs. 5,000 on all works, irrespective of the total of the sanctioned estimates. The delegation will apply to electrical works also.

(All these powers have since been revised in G.O.Ms.No. 1007, dated 5-11-76 of T.R. and B. Department).

#### **(d) Electrical Maintenance Estimates**

To prescribe lump-sum provisions for the annual repairs to, electrical installations in civil buildings up to a limit of Rs. 5,000 laid down in Paragraph 147.

### **II. Re-appropriation of Funds**

#### **Voted Expenditure**

To sanction re-appropriation of funds one Circle to another under the same minor head between two minor heads under a major head within a grant provided that

(1) such re-appropriation does not involve the undertaking of a recurring liability;

(2) the 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 may not reappropriate funds to a new major work or a new minor work costing over Rs. 1,000 which has not been mentioned in the budget.

(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 Council or by Government;

(4) the total budget provision for minor works under a minor or departmental head under 259 Public Works 283 housing and 337 Roads and Buildings is not increased;

(5) the appropriation does not involve a transfer of funds between voted and non- voted heads;

(6) 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 Code or does not involve an appropriation of funds in excess of the amount of estimate, if technical sanction has been accorded;

(7) the amount re-appropriated from or to a single major works does not exceed Rs. 25,000 (Rupees twenty five thousand only);

(8) a copy of the order sanctioning the reappropriation shall be communicated to the Finance Department and to the Accountant General as soon as it is passed.

### **Non-voted Expenditure**

The consent of the Finance Department may be presumed under Devolution Rule 45 to the exercise by the Chief Engineer of the same powers of re-appropriation as in the case of voted expenditure excluding clause(3) above which has no application.

### **III. Sale or Dismantlement of Buildings**

*(See Paragraph 235)*

### **IV. Office Furniture**

To sanction purchase of office furniture up to Rs. 5,000 subject to budget provision.

### **V. Contracts**

To accept tenders for all works upto sanctioned technical estimates plus such percentage as the Chief Engineer is competent to sanction under "excess over estimates"

### **VI. Write-off**

To write off the irrecoverable value of stores or public money lost by fraud or the negligence of individuals or other causes, unprofitable outlay on works and loss of revenue subject to a maximum limit of Rs. 2,000 in each case provided the loss does not disclose—

(i) a defect of system or in rules the amendment of which requires the orders of a higher authority

(ii) 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 sanction to write-off under this rule should be communicated to the 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. 10,000. In each case, unless they involve any important question of principle or are in the nature of test suits, in which case, irrespective of the money value, the orders of Government should be obtained.

To sanction payment of fees to Government in Home (Courts) Department in respect of all cases wherein sanction was accorded by him to the institution and defence of original suits or appeals in exercise of powers vested in the preceding sub-para and in respect of the suits or appeals described therein.

(1) **Incidental charges such as purchase of stamps payment for copies etc., connected with law suits** :—The Heads of Departments can incur expenditure on the above item from their budget provision, without reference to Government.

(2) **Fees payable to Government Pleader** :—The Heads of Departments can sanction fees to Government Pleader in all law suits, including suits appeals, writ petitions and writ appeals and C.M.P.S., C.R.S and C.M.A.S. arising in writ petitions and writ appeals where Governments are not impleaded i.e., where only Heads of Departments or other Subordinate Officers are impleaded. In other cases sanction of the Government is necessary. However, this delegation does not apply to the payment of special fee.

(3) **Cases decreed against Government** :—The Heads of Departments can incur expenditure under this item without prior sanction of the Government and then come upto Government for supplemental grant if necessary.

**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 Advocate General, Andhra Pradesh in regard to litigation in the City, and shall obtain or cause to be obtained, the opinion of the State Government Pleader in regard to mufassil litigation, and follow the instructions in G.O.Ms.No. 3470, Law (General), dated 12th September, 1931 and No. 4100, Law (General), dated 6th November, 1931.

**Note 3** :—If the Chief Engineer, finds himself unable to accept the legal advice contained in any case he should report it for the orders of Government.

**Note 4** :—The Superintending Engineer or the Executive 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 State Government Pleader; and (b) 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.

**For the existing Para 415 powers delegated as per GO. 1007, TR&B, dt. 5-11-76 are :—**

### **I. Sanction of Estimates**

#### **(a) Administrative Approval**

(i) To accord administrative approval to estimates for works, (other than residential buildings and electrical works).

Plain Areas    Rs. 10 lakhs

Tribal Areas    Rs. 15 lakhs

**Note** :— In cases where after a rigorous budget scrutiny by the Government in Finance and Planning Department a list of new works is approved and communicated by the Government, to Chief Engineer and the Accountant General, in the form of a G.O. the Chief Engineer will have full powers of administrative approval without any monetary limit and Government sanction for individual works will not then be necessary.

(ii) Electrical Works (Residential and Non-Residential)

(a) Non-Residential (First installation)	Rs. 1,00,000
(b) Residential buildings (First installation)	Rs. 50,000
(c) Additions, improvements and alterations to electrical works in non-residential buildings	Rs. 15,000
(d) Additions, improvements and alterations to Electrical works in residential buildings	Rs. 2,000

(iii) Full contributions works Full Powers

(iv)(a) Purchase of Tools and Plant Full powers subject to limit of budget allotment and clearance by the Screening Committee.

(b) Purchase and improvements to floating plant for which rent or hire is recoverable Rs. 50,000

(v) Sanitary works  
Minor works for construction of latrines and septic tanks Rs. 2,000

(vi) Residential buildings

(a) Estimates for works Nil

(b) Technical sanction  
Technical sanction to detailed estimates for works including electrical works Full powers upto an amount of administrative approval plus excess indicated below.  
(i) for works costing upto Rs. 200 lakhs  
10% subject to a limit of Rs. 10,00,000  
(ii) for works costing above Rs. 200 lakhs  
5% subject to a limit Rs. 20,00,000

(c) Excess over Estimates : To deal finally with all excess of not more than 15% of the amounts of original estimate sanctioned by him or by a higher authority. The Chief Engineer may also pass excess expenditure upto a limit of Rs. 10,000 on all works, irrespective of the sanctioned estimates. This delegation will apply to electrical works also.

(d) Electrical Maintenance Estimates No change.

**II. Re-appropriation of funds***No change***III. Sale of Dismantlement of Buildings***No change***IV. Office Furniture***No change***V. Contracts**

To accept any tenders for execution of works, including those to be executed by the Electrical Engineer (General) by contract, upto technically sanctioned estimates plus such percentage excess as the Chief Engineer is competent to sanction under excess over estimates. When once a work is administratively sanctioned by the Government and the estimate therefore is technically sanctioned by the competent authority and a contract is concluded for the execution of the work, no work should be stopped or slowed down (rare emergencies expected) or payments to contractors withheld or delayed, even if there is need for a revised estimate to be sanctioned by the Government. Such payments should however, be subject to the existence of adequate budget provision within the relevant head of account. When the expenditure on a work is likely to exceed over the 10% over the contract value of the work ( in the case of premium tenders), the Chief Engineer should inform the Government of the approximate extra commitment involved and also follow up with a revised estimate as early as possible. If, however, only a part of the work covered by the estimate has been entrusted on contract at premium rates, this 10% referred to above should be over the total value of the work, comprising the contract amount for the portion or portions already entrusted plus the total estimated value of the item not yet entrusted or utilized. The Chief Engineer may provisionally sanction the revised estimates and submit them to Government for regular sanction before the final payment for work is made.

**VI. Write off***No change***VII. Law Suits***No change*

**416.** The following powers have been delegated to the Chief Engineers (Irrigation):

**I. Sanction to Estimates****(a) Administrative Approval**

- |   |            |
|---|------------|
| (1) 68. Works for which Capital and Revenue accounts are kept works chargeable to capital account. The concurrence of the Board of Revenue should be obtained to the work in cases where distribution of water or ryots' interests are affected. Cases in which there is disagreement between the Chief Engineer and the Board of Revenue should be submitted by the Chief Engineer to Government through the Board of Revenue. | Rs. 30,000 |
| (2) XVIII. Works for which Capital and Revenue accounts kept-extensions and improvements  | Rs. 30,000 |

(3) 18. Works for which capital and Revenue accounts are not kept—	
(i) Original works (works and extensions and improvements)	Rs. 30,000
(ii) Miscellaneous expenditure. These powers should not be exercised unless there is budget provision specifically made for the purposes and expenditure is non-recurring each case	Rs. 5,000
(4) Full contribution — Original works	Full powers.
(5) To sanction estimate for the purchase of tools and plant and livestock within the limits of the budget allotment	Full powers.
(6) Tank restoration scheme work-Extension and improvements	Rs. 30,000
(7) Purchase of and improvements of floating plant for which no rent or hire is changeable	Rs. 10,000 in each case.
(8) Purchase of and improvements to floating plant for which rent or hire is recoverable	Rs. 10,000 in each case

**Note** :—The limits fixed herein are for “works” only and are exclusive of centage charges for Establishment and Tools and Plant, etc.

### Technical Sanction

**Original works** :—After Administrative approval to a project has been accorded by the competent authority, the Chief Engineer can accord technical sanction to detailed working estimates against the sanctioned provision under each head, provided that whenever any modification is proposed in the details of the scheme, involving a departure from the approved design or the alteration of other parts of the scheme or affecting the standards of efficiency or stability of the whole work, he should move the State Government to accord or obtain fresh administrative approval.

**Note** :— The Chief Engineer should inspect all works costing over Rs. 10.00 lakhs before technical sanction is accorded.

Repairs — Ordinary	Full-powers within the limits of budget allotment.
Repairs – Special	Full powers
Tools and Plant estimates	Full powers

### (c) Excess over estimates

(Same powers as those of Chief Engineer, Roads and Buildings)

## II. Re-appropriation of Funds

### Voted Expenditure

(i) To sanction re-appropriation of funds one Circle to another under the same minor head between two minor heads under a major head within a grant provided that

(1) such re-appropriation does not involve the undertaking of a recurring liability;

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

(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 Council;

(4) 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 Code or does not involve an appropriation of funds in excess of the amount of estimate, if technical sanction has been accorded;

(5) the appropriation does not involve a transfer of funds between voted and non-voted heads;

(6) as regards major original works, the amount re-apportioned from one project or system to another does not exceed Rs. 25,000; and

(7) a copy of the order sanctioning the reappropriation shall be communicated to the Finance Department and to the Accountant General as soon as it is passed.

(ii) To re-appropriation funds to new works not provided for in the budget under the head "68" when the cost of such a work exceeds Rs. 25,000/- and provided the work forms part of a system on which the expenditure of loan funds has been sanctioned.

### **Non-voted Expenditure**

The consent of the Finance Department may be presumed under Devolution Rule 45 to the exercise by the Chief Engineer of the same powers of re-appropriation as in the case of voted expenditure excluding clause(3) above which has no application.

### **III. Office Furniture**

(Powers as those of Chief Engineer, Roads and buildings)

### **IV. Contracts**

(Same powers as those of Chief Engineer, Roads and buildings)

### **V. Write-off**

(Same powers as those of Chief Engineer, Roads and buildings)

### **VI. Law Suits**

(Same powers as those of Chief Engineer, Roads and buildings)

**The following powers are delegated to the Chief Engineer, Irrigation and Power Dept. as per G.O. 1007, TR & B, dated 5-11-76 in lieu of powers in para 416.**

### **I. Sanction to Estimates**

#### **(a) Administrative Approval**

(i) To accord administrative approval to estimates for works, (other than residential buildings and electrical works).

Plain Areas	Rs, 10 lakhs
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Tribal Areas	Rs. 15 lakhs
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**Note:-** In cases where after a rigorous budget scrutiny by the Government in Finance and Planning Department a list of new works is approved and communicated by the Government, to Chief Engineer and the Accountant General, in the form of a G.O. the Chief Engineer will have full powers of administrative approval without any monetary limit and Government sanction for individual works will not then be necessary.

(ii) Electrical Works (Residential and Non-Residential)

(a) Non-Residential buildings (First installation)	Rs. 1,00,000
(b) Residential buildings (First installation)	Rs. 50,000
(c) Additions, improvements and alterations to electrical works in non-residential buildings	Rs. 15,000
(d) Additions, improvements and alterations to Electrical works in residential buildings	Rs. 2,000

(iii) Full contributions works Full Powers

(iv) (a) Purchase of Tools and Plant Full powers subject to limit of budget allotment and clearance by the Screening Committee.

(b) Purchase and improvements to floating plant for which rent or hire is recoverable Rs. 50,000

(v) Sanitary works

Minor works for construction of latrines and septic tanks Rs. 2,000

Estimates for works Nil

**Note :—** Minor Irrigation schemes which are within the powers of administrative approval of the Chief Engineer, Minor Irrigation may be cleared by the Collector of the Districts in which the works lies without reference to the Commissioner for Irrigation. Schemes which are to be administratively approved by the Government may be referred to the Commissioner for Irrigation for his clearance before sanction.

**(b) Technical Sanction**

**Original works :—**After Administrative approval to a project has been accorded by the competent authority, the Chief Engineer can accord technical sanction to detailed working estimates against the sanctioned provision under each head, provided that whenever any modification is proposed in the details of the scheme, involving a departure from the approved design or the alteration of other parts of the scheme or affecting the standards of efficiency or stability of the whole work, he should move the State Government to accord or obtain fresh administrative approval. The detailed working estimates, sanctioned by him should not exceed 10% over administrative approval to works costing upto Rs. 200 lakhs and subject to a limit of Rs. 10.00 lakhs, for works costing above Rs. 200 lakhs the excess subject to 5% and a monetary limit of Rs. 20,00,000.00

Repairs — Ordinary	Full-powers within the limits of budget allotment.
Repairs — Special	Full powers
Tools and Plant estimates	Full powers subject to clearance by Screening Committee

**(c) Excess over estimates***(Same powers as those of Chief Engineer, Roads and Buildings)***II, III, IV, V, VI***No Change***C — POWERS OF SUPERINTENDING ENGINEER****417.** The following is a summary of the powers of a Superintending Engineer.**I. Roads and Buildings****A. Original Works**

(a) **Administrative Approval** :—To approve administratively estimates upto Rs. 10,000 for works other than residential, electrical or ecclesiastical.

**Note 1** :—Superintending Engineers may sanction estimates administratively on electrical works in non-residential buildings up to a limit of Rs. 2,500 provided it is not first installation. All the estimates for improvements to a single building in regard to electrical works in any official year must be considered as one work, the first sanctioned before the original estimate and subsequent sanctions supplemental thereto.

**Note 2** :—Huts for watchers of inspection bungalows may be dealt with by Superintending Engineers under their powers of sanction for ordinary non-residential buildings.

**Note 3** :—The powers in Note 2 above can be exercised by the Superintending Engineers in respect of quarters for all employees in inferior service subject to the conditions specified in Note 2 under Paragraph 428-1-A (a) introduced by GO. 1281, W., dated 12th June, 1934.

**Note 4** :—The Superintending Engineer is empowered to accord administrative approval to construction of latrines or septic tanks in residential buildings upto a limit of Rs. 500.

(b) **Contribution works** :—To sanction the undertaking of contribution works upto Rs. 15,000.

(c) “Superintending Engineer (except those under stop-gap arrangements lasting one month and below) are empowered to accord final technical sanction to detailed estimates for original work upto rupees two and half lakhs excluding charges for establishment and tools and plant”.

Where the detailed estimate is a working estimate for a work, for part of 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. A Superintending Engineer may transfer ascertained, savings from any one portion of the project to another within the sanctioned estimate.

Such diversion from one item of the project to another item within the same project should not raise the total cost of the project or the cost of the item to which savings are transferred beyond the powers of the concerned officer to accord technical sanction in excess of administrative approval.

(d) **Excess over estimates** :—To deal finally with all excesses of not more than 5 percent of the amounts of original estimates sanctioned by himself or by a higher authority

provided that the total amount of excess is within the limit of his powers to sanction estimates technically. A Superintending Engineer may also pass excess expenditure within a limit of Rs. 500 on sanctioned original works and repairs irrespective of the total of the sanctioned estimate. A Superintending Engineer has no power to sanction any excess over a revised estimate sanctioned by a higher authority. See also Paragraph 182.

(c) **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 excesses 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 which are required by the administrative authority and which are essential for the due fulfilment of the precise object for which the estimate was intended- See also Paragraph 117-A.

### B. Repairs

**418.** (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 provisions for the annual repairs to buildings as laid down in Paragraph 147. In the case of roads the sum should be limited by the Superintending Engineer to fixed amount per kilometre.

(b) **Periodical repairs** —To authorise the commencement of urgent periodical repairs in anticipation of annual sanction to estimates — vide Paragraph 140.

(c) **Emergent repairs** :—To sanction emergent repairs to works to any reasonable and necessary amounts in case of imminent danger to the structure.

(d) **Excesses 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 subparagraph (a) above.

**(The following are the powers of a Superintending Engineer, as per G.O.Ms.No. 1007, R&B, dated 5-11-1976).**

## II. Roads and Buildings

### A. Original works

#### (a) Administrative approval

(i) The administrative approval to estimates for works  
(other than residential buildings and electrical works.)

Plain areas	Rs. 3.00 lakhs
Tribal areas	Rs. 4.50 lakhs
(ii) (a) Purchase of Tools and Plant	Rs. 30,000
(b) Purchase and improvements to floating plant for which rent or hire is recoverable	Nil

(iii) Residential buildings :	Nil
Estimate for works	Nil
(iv) Sanitary works	
To minor works for construction of latrines and septic tanks	Rs. 1,000
(v) Electrical works Residential and Non-Residential	
(a) Non-Residential	Rs. 40,000
(b) Residential buildings	Rs. 20,000
(c) Additions, improvements and alterations to electrical works in non-residential buildings	Rs. 5,000
(d) Additions, improvements and alterations to Electrical works in residential buildings	Rs. 1,000

**Note 1** :—All estimates for improvements to a building in regard to electrical works in any official year must be considered as one work, the 1st sanctioned being the original estimate and subsequent sanctions supplemental therein.

**Note 2** :—Huts for watchers of inspection bungalows may be dealt with by Superintending Engineers under this powers of sanction for ordinary non-residential buildings.

**Note 3** :—The powers in Note 2 above can be exercised by the Superintending Engineers in respect of quarters for all employees in inferior service subject to the condition specified in Note 2 under Paragraph 428 (I)-A(a).

(b) **Contribution works** :—To sanction the undertaking of full contribution works upto Rs. 1,00,000.

(c) **Technical sanction to Estimates** :—Technical sanction to detailed estimate of works is Rs. 10 lakhs subject to condition that excess over administrative sanction shall not exceed 10 per cent.

Where the detailed estimate is working estimate for a work, or part of a work, included in a general estimate or in any subsidiary estimate subsequently sanction 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 10 per cent of the amounts of original estimates sanctioned by himself or by a higher authority provided that the total amount of excess is within the limit of his powers to sanction estimates technically. A Superintending Engineer may also pass excess expenditure within a limit of Rs. 6,000 on sanctioned original works and repairs, irrespective of the total and sanctioned estimate. A Superintending Engineer has no powers to sanction an excess over a Revised Estimate sanctioned by higher authority—See also Paragraph 182.

(e) Alterations of Designs :	No change
(f) Contingencies in the estimate for a work	No change
(g) Unforeseen works in an estimate for a work :	No change

### B. Tools and Plant

**418-A.** To sanction detailed estimates for the purchase and manufacture of ordinary tools and plant upto Rs.10,000.

**419.** In order that relief works may be started without delay in case of famine, Superintending Engineers are authorised to sanction and keep in readiness repair estimates for raising the Funds of tank but funds need not be provided until the works are actually required.

### II. Irrigation Works

**420.** The following is a summary of the powers of a Superintending Engineer with regard to Irrigation Works

#### (a) Administrative approval

(1) (i) Construction of Irrigation, Navigation etc., works— Works chargeable to Capital accounts	Rs. 10,000
(ii) 19. Major irrigation which are financed from ordinary Revenue	Rs. 10,000
(2) XVII. Irrigation, Navigation etc., works — works for which capital accounts are kept — working expenses, extensions and improvements	Rs. 10,000
(3) 18. Irrigation — Other revenue expenditure financed from ordinary revenues — works for which no Capital accounts are kept	
(i) Original works (works and extensions improvements)	Rs. 10,000
(ii) Miscellaneous expenditure — The power should not be exercised in any case unless there is specific budget appropriation for the purpose and the expenditure is non-recurring 2,500 in each case	
(4) Full contribution Works — Original works	Rs. 15,000
(5) Tank restoration scheme Works — Extension and improvements	Rs. 15,000

#### (b) Technical sanction

(1) 533. Works for which Capital and Revenue accounts are kept— works chargeable to Capital account	2,50,000
(2) XVII. Works for which Capital and Revenue accounts are kept— Extensions and improvements	2,50,000
(3) 18. Works for which Capital and Revenue accounts are not kept— Original works (works and extensions and improvements and miscellaneous expenditure)	2,50,000
(4) Full contribution works and repairs	2,50,000
(5) XVII. and 18. Maintenance and repairs Ordinary repairs	Full powers
(6) Tank restoration scheme works — Extensions and Improvements	2,50,000
(7) Tools and plant estimate charged to Irrigation heads of account	2,50,000

**Note** :—The limits fixed in items (1) to (6) above are for “works” only and are exclusive of centage charges for establishment and Tools and Plant, etc.

**(c) Excesses over Estimates**

Superintending Engineers may sanction excesses over estimates subject to the limits in Paragraphs 417(d) and 418(d) and subject also to the condition that in the case of irrigation, navigation, embankment and drainage works for which Capital and Revenue accounts are kept, the power can be exercised only so long as the total project estimate is not exceeded vide Paragraph 398 and Rule 24 of the rules issued by the Government of India in their letter No.I.R./39, dated 6th July, 1929. He may, however, transfer savings from any one portion of the project to another within rules issued by Government of India in their letter No. I.C. 39, Dated 6th July, 1929.

**Note** :— The actual expenditure in any particular year on sanctioned estimates is, however, limited by the appropriations — See Paragraph 101(a) (ii) of the Andhra Pradesh Public Works Account Code.

**The following is a summary of powers of Superintending Engineer with regard to Irrigation works as per G.O.Ms.No. 1007, TR & B, dated 5-11-1976.**

**(a) Administrative approval**

	(Rs. in lakhs)
(i) The administrative approval to estimates for works (other than residential buildings and electrical works)	
Plains areas	3.00
Tribunal areas	4.50
(ii) (a) purchase of Tools and Plant	30,000
(b) Purchase and improvements to floating plant for which rent or hire is recoverable	Nil
(iii) Full contribution works	1.00
(iv) Residential buildings: Estimates for works	Nil
(v) Sanitary works	
To minor works for construction of latrines and septic tanks	1,000
(vi) Electrical works (Residential and Non-Residential)	
(a) Non-Residential	40,000
(b) Residential buildings	20,000
(c) Additions, improvements and alterations to electrical works in non-residential buildings	5,000
(d) Additions, improvements and alterations Electrical works in residential buildings	1,000

**(b) Technical sanction to estimates**

Technical sanction to detailed estimates of works is Rs. 10 lakhs, subject to condition that excess over administrative sanction shall not exceed 10%.

Where 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. A Superintending Engineer may transfer ascertained savings from any one portion of the project to another within the sanctioned estimate.

**(c) Excesses over Estimates**

*No change*

**III. Photographical Charges**

**421.** Superintending Engineers may sanction photograph charges within the limits of budget provision.

*Note* :— In cases where the photograph taken are of completed works and for general purposes and not in the interest of the works themselves the charge should be debited to Establishment—Contingencies.

**IV. Contracts**

**422.** To accept tenders for contracts for all original works and repairs up to the limit of the estimates sanctioned by competent authority plus such excess as he is competent to sanction under the provisions of Paragraph 4 17(d). To execute contracts and piece-work agreement upto 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.

The powers delegated vide G.O.Ms.No. 1007, TR & B, dated 5-11-1976 are—

To accept tenders for all contracts for all original works and repairs upto technically sanctioned estimates plus such excess as he is competent to sanction under excess over estimates subject to a maximum of Rs. 11 lakhs for each tender. Superintending Engineer (Major Irrigation Projects, costing more than Rs.10 crores) can accept tenders upto Rs. 30 lakhs provided they are lowest.

In case of electrical works the amount is limited to Rs. 1.00 lakh.

**V. Stores**

**(a) Purchase, Manufacture and Repair**

**423.** (i) General :—To accord administrative approval to estimates for the purchase of tools and plant for including livestock or office furniture subject to a maximum expenditure of Rs. 10,000 for each estimate, and to order the purchase or manufacture of any stores required for the construction of a sanctioned work, subject to the conditions laid down in the Stores Rules.

*Note* :— Estimates for extensions and improvements and special repairs which owing to inclusion of items of substantial improvement would go either wholly or partly to increase the capital cost of staff boats, or boats for which rent on hire is payable should be submitted for sanction of Government irrespective of their cost but estimates for all other floating plant may be dealt with by the Superintending Engineers upto a limit of Rs. 1,000.

The term “floating plant” does not include motor or steam launches for the purposes of this note.

(ii) Office furniture :—To sanction purchase of office furniture within the budget allotment subject to a maximum expenditure of Rs. 750 for each estimate.

(iii) Indents :—To pass indents on other departments for articles required for sanctioned works, and to forward indents for foreign stores direct to the High Commissioner or Ambassadors of India for any work within his powers of sanction. See the Stores Rules.

(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 store including stock, tools and plant, materials at site of works and materials received from works dismantled or undergoing repair, to write of the loss due to disposal of such articles (i.e., the difference between the book value of the articles and the amount difference by their disposal) when the total loss on all articles disposed of at a time and included in one surveyport is Rs. 10,000 or less. Also to sanction the issue of any materials from store-yards to private persons. Book value including storage charge plus usual charges to 10% (except when this charge is specially remitted under the provisions of Paragraph 331(a) or the full market value whichever is higher when this can be done without inconvenience to the public service.

(Amended in Memo. No.1658/Cl/79-21, Rd.&Tr. & Blds.(C) Dept., Dt. 22-3-1982)

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

(iii) 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 which the original cost was Rs. 10,000 or more, should be made after the sanction of Government.

#### **(c) Loss due to depreciation**

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

#### **(d) Write off**

To write off the irrecoverable value of stores or public money lost by fraud or the negligence of individuals or other causes, unprofitable outlay on works and loss of revenue subject to a maximum limit of Rs.500 in each case provided the loss does not disclose.

(i) a defect of system or in rules the amendment of which requires the order of a higher authority; and

(ii) 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.

#### **(e) Sale and Dismantlement of Public Buildings**

*(See Paragraph 235)*

#### **(f) Losses in manufacture**

To adjust losses in manufacture upto a limit of Rs.500 in each case.

## VI. Powers of Re-appropriation

**424.** The following are the powers of Superintending Engineers to re-appropriate funds

(1) Roads and Buildings and Civil works

(a) Original works — Buildings.

Original works — Communications; and

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

(i) that the total of the amounts proposed to be reappropriated from or to a single major work does not exceed Rs. 25,000 (Rupees twenty five thousands only);

(ii) that in the case of resumptions, the head of the department concerned is informed of the fact explaining why it was not possible to spend the appropriation on the work in question;

(iii) 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;

(iv) that the re-appropriations are confined to works under the same minor head or department;

(v) 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 Code or does not involve an appropriation of funds in excess of the amount of the estimate of technical sanction has been accorded.

(vi) that the re-appropriation has not the affect of increasing the appropriation under a unit which has been reduced by a higher authority; and

(vii) that the re-appropriation has not the effect of increasing the total budget provision for minor works under a minor or departmental head under “Civil Works”.

(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 those heads. The Superintending Engineer should re-distribute the amounts under each primary unit among the several divisions under him.

(c) **Establishment** :—No powers except under the heads “Non-Contract Contingencies” and “Supplies and Service”. The exercise of the powers is subject to the condition that the re-appropriation does not involve the undertaking of a recurring liability.

(2) Construction of Irrigation, Navigation, Embankment and Drainage works for which Capital and Revenue Accounts are kept and “working ‘expenses’ under XVII. Irrigation, Navigation, Embankment and Drainage works for which capital accounts are kept.

A Superintending Engineer may re-appropriate funds within the same minor head provided that—

(i) the re-appropriation does not involve a transfer of fund from one project or system to another;

(ii) no re-appropriation of funds is made for the execution of any new work not provided for in the budget for the year;

(iii) 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 the Code or does not involve an appropriation of funds in excess of the amount of the estimate, if technical sanction has been accorded; and

(iv) that the re-appropriation has not the effect of increasing the appropriation under a unit, which has been reduced by a higher authority;

(3) 18. Other revenue expenditure financed from ordinary revenues :— Superintending Engineer may sanction reappropriation of funds within the circle provided—

(i) that no re-appropriation is sanctioned from one minor head to another;

(ii) that the re-appropriation does not involve expenditure on new major works not provided for in the budget;

(iii) 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 Code or does not involve an appropriation of funds in excess of the amount of the estimate if technical sanction has been accorded; and

(iv) that the re-appropriation has not the effect of increasing the appropriation under a unit, which has been reduced by a higher authority.

(4) Copies of all orders of re-appropriation sanctioned by Superintending Engineer, should be made forwarded to the Finance Department through the Chief Engineer, and to the Accountant-General.

## **VII. Miscellaneous Powers**

**425.** Rules and powers regarding the grant of advance of pay and travelling allowances, house-building advances etc., and contingent expenditure will be found in the Andhra Pradesh Manual of Special Pay & Allowances and Andhra Pradesh Financial Code, Vol. I.

**426.** Superintending Engineers of circles are authorised to arrange with the Telegraph Engineering Department, on their own authority, for the establishment of telephone connections required as a temporary measure in connection with the execution of works, subject to the condition that the cost of the connection has been provided for in the sanctioned estimate for the works.

**427.** Superintending Engineers may approve of alterations of the dates of birth entered in the service books of the non-gazetted establishment employed under them.

## **D - POWER OF EXECUTIVE ENGINEER**

**428.** The following is a summary of the powers of Executive Engineers (except stop-gap arrangements lasting one month and below) in charge of a division.

## I. Roads and Buildings

### A. Original Works

#### (a) Administrative approval

To accord administrative approval to estimates upto Rs. 40,000/- for contribution works and for works executed for the Public Works Department other than residential or ecclesiastical works.

[G.O.Ms.No. 1007, Tr. & B. Dept., Dt. 5-11-1976]

**Note 1** :— The above powers can be exercised by the Executive Engineers in regard to electrical works also, subject to certain conditions — vide Paragraph 441 and the note thereunder as introduced by G.O.Ms.No. 1281, W., dated 12th June, 1934.

**Note 2** :— The Executive Engineers of Divisions can accord administrative approval up to a limit of Rs. 250 in the case of small extensions to electrical installations in Government non-residential buildings in their charge.

**Note 3** :— In the case of work connected with quarters for employees in inferior service, however, Executive Engineers can accord administrative approval up to a limit to Rs. 2,000 subject to the following conditions

- (a) that the proposals are in accordance with the latest type-designs approved by Government and that outside works are limited to minor sanitary works, such as drains, latrines, wells and the like; and
- (b) that an enhancement of the limit fixed the Minor works is not asked for on this ground.

#### (b) Technical sanction to estimates

To accord final or technical sanction to detailed estimates or original works up to maximum limit of Rs. 25,000 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 condition that the provision for it in the general or subsidiary estimate is not exceeded.

**Note** :— The Executive Engineer 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. 2,000.

#### (c) Technical sanction to estimates

To pass finally all excesses over the amount of original estimates sanctioned by himself or by higher authorities up to a limit of Rs. 500 irrespective of the total of the sanctioned estimate, and in other cases provided that the total amount of the excess is within 5 per cent of the sanctioned estimate and within the limit of his powers to sanction estimate technically. An Executive Engineer has no power to sanction any excess over a revised estimate sanctioned by a higher authority—See also Paragraph 182.

#### (d) Alterations of designs

To 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 (2) above. When

however, such alterations affect the administrative side of the works, they should be affected only after consulting the administrative department concerned.

**(e) Contingencies in the estimate for a work**

To divert the provision for contingencies to new work or repairs not provided for in the estimate up to a maximum of Rs. 500/- for each item (Para 117). The Executive Engineer can divert the provision in an estimate under "Contingencies" to meet excesses due to the increased rates or any cause whatever, provided the total amount of the estimate after revision does not exceed by more than 5 per cent of the sanctioned amount inclusive of contingencies and provided that the excess is within the Exe. Engineer 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 fulfilment of the precise object for which the scheme was intended, up to a limit of Rs. 5,000 for each item—See also Paragraph 117-A.

**(The Powers elegated vide G.O.Ms.No. 1007, T R & B, dated 5-11-1976)**

**(a) Administrative approval**

(i) To accord administrative approval to estimates for works (other than residential buildings and electrical works)

Plain areas	40,000
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Tribal areas	60,000
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(ii) (a) Purchase of tools and Plant	5,000
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(b) Purchase and improvements to floating, plant for which rent or hire is recoverable	Nil
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(iii) Full contributonal works	15,000
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(iv) Residential buildings:

To estimate for works :	Nil
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(v) Sanitary works

To minor works for construction of latrines and septic tanks	Nil
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(vi) Electrical works : (Residential and non-residential)

(a) Non-Residential (First installation)	5,000
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(b) Residential buildings (First installation)	2,500
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(c) Additions, improvements and alterations to electrical works in non-residential buildings	1,000
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(d) Additions, improvements and alterations to electrical works in Residential buildings	Nil
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**(b) Technical sanction to estimate**

To accord final or technical sanction to detailed estimates or original work up to a maximum limit of Rs. 1.00 lakh subject to the condition that the excess over administrative sanction shall not exceed 10 per cent.

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 Executive Engineers of Divisions can accord technical sanction to estimates, for small extension electric installations in Government buildings in their charge upto limit of Rs. 30,000/-

**(c) Excesses over Estimates**

To pass finally all excesses over the amounts of original estimates sanctioned by himself or by higher authorities upto a limit of Rs. 2,000/- irrespective of the total of the sanctioned estimates, and in other cases provided that the total amount of excess is within 5% of the sanctioned estimate and within the limit of his power to sanction estimates technically. An Executive Engineer has no power to sanction any excess over a Revised Estimate sanctioned by a higher authority. See also Paragraph 182.

**(d), (e) and (f) — No change**

**B. Repairs**

**429. (a) (i) Ordinary and special repairs** :—To sanction estimates for ordinary and special repairs within the limits of budget allotments and upto a limit of Rs.20,000 for each work.

**Note**:- The limit of Rs.20,000 does not apply to cases where lumpsum kilo metrage rates are fixed by the Superintending Engineers for annual maintenance of roads under Paragraph 418 (a). The limit in such cases is the amount for each road based on the kilometre rate for each reach of that road fixed by the Superintending Engineer.

(ii) **Emergent repairs** :—To sanction emergent repairs to all works in charge of the department to any necessary and reasonable amount, in case of imminent danger to the structure.

(iii) **Repairs to electrical installations** :—To sanction estimate for ordinary or special repairs to electric installation 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 147 up to Rs. 1,000 under the conditions laid down therein.

(c) **Excesses 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 subparagraph (a) above.

**C. Tools and Plant**

**430. A.** Same powers as under, original works.

**II. Irrigation Works**

**(a) Administrative Approval**

(1) 68. Works for which Capital and Revenue Accounts are kept— Works chargeable to capital account	.....
(2) XVII. Works for which Capital and Revenue Accounts are kept— Extensions and Improvements	5,000

(3) 18. Works for which Capital and Revenue Accounts are not kept Original works (Works, Extensions and Improvements.)	5,000
(4) Full contribution works other than repairs	5,000
(5) Tank Restoration Scheme works Extensions and Improvements	5,000

**Note** :— Executive Engineers who have put in a service of not less than 15 years in the department may accord administrative approval to departmental irrigation works— Extensions and Improvements, Original works and Tank restoration Scheme works Extensions and Improvements and full contribution works up to a limit of Rs. 1,000 for each work. The previous approval of the Collector should be obtained to all proposals for works estimated to cost more than Rs. 500. In these cases the Executive Engineer should send to the Superintending Engineer a copy of the report sent by him to the Collector, and the Superintending Engineer may, if he considers it necessary, in any particular case, call on the Executive Engineer to submit the detailed estimates and plans for his approval.

**(b) Technical sanction**

(1) 68. Works for which Capital and Revenue Accounts are kept— Works chargeable to Capital Account	25,000
(2) XVII. Works for which Capital and Revenue Accounts are kept— Extensions and improvements	25,000
(3) 19. Works which capital and Revenue Accounts are not kept— Original Works (Works, extensions and improvements and miscellaneous expenditure)	25,000
(4) Full contribution works and repairs	25,000
(5) XVI. and 18. Maintenance and repairs.—	
(a) Ordinary repairs	Full powers
(b) Special repairs:	
Include repairs under famine relief works	25,000
(6) Tank restoration scheme works-Extensions and Improvements	10,000
(7) Tools and Plant estimate charged to irrigation heads of account	10,000

**Note 1** :—The limits fixed in items (1) to (6) above are for “Works” only and are exclusive of centages charges for Establishment and Tools and Plant, etc.

**Note 2** :—The actual expenditure in any particular year on sanctioned estimate is however limited by the appropriation-See Paragraph 101(a)(ii) of the Andhra Pradesh Public Works Accounts Code.

**(c) Excesses over Estimates**

Same powers as under Paragraph 428(c) and 429(c) but subject to the limitations in Paragraph 420(c).

**[The powers delegated under G.O.Ms.No. 1007, T.R. & B., dated 5th November, 1976 are:**

**(a) Administrative approval**

(i) The administrative approval to estimates for works (other than residential buildings and electrical works)

Plain areas 40,000

Tribal areas 60,000

(ii) (a) Purchase of Tools & Plants	5,000
(b) Purchase and improvements to floating, plant for which rent or hire is recoverable	Nil
(iii) Full contributonal works	15,000
(iv) Residential buildings	
To estimate for works	Nil
(v) Sanitary works	
To minor works for construction of latrines and septic tanks	Nil
(vi) Electrical works :—(Residential and non-residential)	
(a) Non-Residential (First installation)	5,000
(b) Residential building (First installation)	2,500
(c) Additions, improvements and alterations to electrical works in non-residential buildings	1,000
(d) Additions, improvements and alterations to electrical works in residential buildings	Nil.

**Note** :— The previous approval of the Collector should be obtained to all proposals for works estimated to cost more than Rs. 500. If the Collector agrees with the proposals of P.W.D. from the administrative point of view, the practice of estimates being countersigned by Collectors should be discontinued (vide G.O.Ms.No. 31, P.W, (T) Dept., Dt. 7-1-1969). In these cases the Executive Engineer should send to the Superintending Engineer a copy of the report sent by him to the Collector, and the Superintending Engineer may if he considers it necessary, in any particular case, call on the Executive Engineer to submit the detailed estimates and plans for his approval.

#### (b) Technical Sanction

(Same powers as those of Executive Engineer, Roads & Buildings).

#### (c) Excesses over estimates

*No change*

### III. Contracts

**431.** To accept tenders for contracts for sanctioned original works and repairs provided that the amount of the tender does not exceed the amount of the sanctioned estimate plus such excess as he is competent to sanction under the provisions of Paragraph 428(c) and subject to a limit of Rs. 25,000.

**Note** :—In cases where materials are supplied by Govt. to the contractor, the amount of the contract should, for the purpose of determining the authority competent to accept it, be taken to the net amount to be paid to the contractor, exclusive of the cost or value of the materials so supplied. Further, the amount of 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 provisions of Paragraph 428(c);

The powers delegated vide G.O.Ms.No.1007, T.R. & B, Dt. 5-11-1976 under Para 431.

To accept tenders for contracts for sanctioned original works and repairs provided that the amount of the tender does not exceed the amount of the sanctioned estimate plus such excess as he is competent to sanction under the provisions of Paragraph 42 8(c) and subject to a limit of Rs. 1,05,000/-.

In the case of Electrical Works the powers of the Executive Engineers are limited to a contract value of Rs. 50,000/-.

#### **IV. Stores**

##### **(a) Purchase, Manufacture and Repair**

**432.** (i) To accord administration approval to estimates for the purchase of manufacture of tools and plant (not including livestock or office furniture) subject to a maximum of Rs. 2,500/- for each estimate and to sanction estimates for regular repairs of special tools and plant other than running or working expenses up to Rs. 500/- for each estimate and for the maintenance of ordinary tools and plant up to Rs. 500/- a year for the division limited to the appropriation allotted for the division. The Divisional Engineers and Executive Engineers, may sanction estimates technically for ordinary maintenance of special tools and plant like lorries, power rollers, etc., upto Rs. 10,000 per year for each such plant.

(ii) To accord administrative approval to the purchase of office furniture up to Rs.100 for each estimate.

(iii) To order any stores required for the Execution of a sanctioned work, subject to the conditions laid down in the Store Rules and Andhra Pradesh Financial Code—Vol. I to provision in the sanctioned estimates - See Paragraph 322.

(iv) To purchase or manufacture stock, sufficient to keep the stock of the division up to the reserve limit — vide Paragraphs 323 and 324.

##### **(b) Write off**

(1) To sanctioned the writing-off the returns of tools and plant of all tools and plant the book value of which has been recovered. In recovering the value of tools lost, centages must be recovered. (Govt. Memo. No. 1658/C1-79-21, R & B (C), Dt. 22-3-1982)

(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 Executive Engineer considers reasonable.

(iv) To write-off famine tools the full value of which has been recovered subject to the proviso that if such write-off affects the authorised reserves, 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 the negligence of individuals or other causes unprofitable outlay on works and loss of revenue subject to a maximum limit of Rs.100 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 (other than Tools and Plant)**

(i) To issue orders for the disposal, by a sale or otherwise, of 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 whichever is less, and of material received from works dismantled or undergoing repairs at their estimated value, up to a limit of Rs. 2,500 vide Paragraph 336(a) of the Andhra Pradesh Public Works Account Code.

(ii) To sanction the sale of articles on the stock accounts to private persons when it can be done without inconvenience to the public service. Book value including storage charges plus usual charges of 10% (except where this charge is specially remitted under the provision of Para 331(a) or the full market value whichever is higher upto Rs.1,000/-.

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

**(d) Sale and Dismantlement of Public Buildings**

*(See Paragraph 235)*

**V. Powers of Re-appropriation**

**433.** The following are the powers of Executive Engineer to re-appropriate funds:

(1) 50. and 81. Civil Works

Major Works.

Subject to the following conditions

(1) that the total of amounts proposed to be re-appropriated from or to a single major work should not exceed Rs.5,000 (Rupees five thousand only).

(2) that in the case of resummptions, the head of the department concerned 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; and

(4) that the re-appropriation are confined to works under the minor head or department;

(5) the appropriation does not involve a transfer of funds to a work or project which has not received the requisited administrative approval and technical sanction under the rules in this Code 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:-**

Executive Engineers have full powers to sanction transfer of funds between the Minor works within the division subject to the following conditions

(1) no transfer should be made from the 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 Code and when the amount so transferred involves sanction of grant in excess of the amount of the estimate if technical sanction has been accorded;

(4) that the transfer has not the effect of increasing the total provision for minor works under a minor or departmental head under "50. Civil Works"; and

(5) copies of orders sanctioning any re-appropriation should be communicated to the Finance Department through the proper channel and to the Accountant-General as soon as such orders are passed.

## VI. Miscellaneous Powers

**434.** Rules and powers regarding the grant of advance of pay and travelling allowances, house-building advances etc., and contingent expenditure will be found in the Andhra Pradesh Manual of Special Pay & Allowances and Andhra Pradesh Financial Code, Vol. I and Andhra Pradesh Treasury Code, Vol. I.

## E — ELECTRICAL ENGINEER'S POWERS OF SANCTION

### I. Original Works

#### (a) Administrative Approval

**435.** To accord administrative approvals to proposals for electrical works up to a limit of Rs. 200 for each project subject to the restriction that the powers will not apply to proposals for first installations to buildings or for electrical works relating to residential buildings.

*Note* :—The powers of administrative approval are restricted to departmental works, i.e., purely Public Works Department works unconnected with any other department.

To accept the execution of contribution works upto a limit of Rs. 200 for each work

#### (b) Technical Sanction

To sanction technically estimates upto a limit of Rs. 2,500.

### II. Ordinary Repairs

(a) (i) **Ordinary and special repairs** :—To sanction estimates for ordinary or special repairs to electric installations in Government buildings in his charge up to a limit of Rs.2,500.

(ii) **Emergent repairs** :—To sanction emergent repairs to any necessary and reasonable amount in the case of imminent danger to the installation explaining immediately to the Chief Engineer, the essential necessity to utilise the powers.

(b) To prescribe lump-sum amounts for ordinary repairs under Paragraph 147 up to Rs. 500 under the condition laid down therein.

### III. Excesses over Estimates

[Same powers as of Executive Engineers of divisions — vide Paragraph 428(e) and 429(c)].

### IV. Tenders

To accept tenders for contract for sanctioned original works and repairs provided that the amount of the tender does not exceed the amount of the sanctioned estimate plus such excess as he is competent to sanction under the provisions of Paragraph 428(c) and subject to a limit of Rs. 5,000,

**Note** :—This applies to sub-works of major estimates or works sanctioned as supplementary to major estimates up to the same limit for such works.

### V. Write-Off

The Electrical Engineer to Government is empowered to sanction the write-off of the value of stores borne on stock accounts damaged or lost by fraud or negligence of the individuals or other cause upto a limit of Rs. 20 for each article of similar articles written-off at a time subject to the restrictions that the loss does not disclose

(i) a defect of system, the amendment of which requires the orders of higher authority; or

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

Survey reports of all such items written-off by the Electrical Engineer should be forwarded to the Accountant-General with the accounts.

In the case of losses of material which have already been debited of works, viz., Government installations, the replacements should be charged to repair estimates direct and no write-off is necessary. The Electrical Engineer may deal with such cases up to a limit of Rs.500 for each work or installation subject to the same conditions.

### V. Other Powers

In respect of other sanctions, the Electrical Engineer can exercise the same powers as of Executive Engineers of divisions.

#### **Delegation of powers in respect of Electrical Works to the Electrical Engineer (General) on par with the Executive Engineer (R & B).**

(G. O. Ms. No. 190, Transport, Roads and Buildings (B.I.) Dept., Dt. 17-4-1986)

Ref:- 1. G.O. Ms. No. 1007, T.R. & B. dated 5-11-1976.

2. G.O. Ms. No. 43, T.R. & B. dated 12-2-1985.

3. From Chief Engineer (Building) Lr. No. DEE/Elec./8214/83-A Dt. 11-10-1985.

**Order** :—It has been brought to the notice of Govt. by the Chief Engineer (Buildings) in his letter 3rd read above, that while codifying the powers, relating to Electrical works as delegated in the 0.0. first read above were not incorporated under the powers of Electrical Engineer (General) in the Andhra Pradesh PWD Code, whereas the same powers were incorporated under the powers of the Executive Engineers (Roads and Buildings). Further, the continuance of the powers of the Executive Engineer (Electl. General) ordered in the 0.0. 2nd read above were delegated in GO. Ms. No. 1865 P.W.D. dated 30-7-1966. Therefore, the Chief Engineer (Buildings) has requested to rectify

the anomaly and issue necessary amendment to the 0.0. first read above duly clarifying the powers delegated in respect of Electrical works (vide items 9 and 10 noted in the annexure to the 0.0. first read above) to the Executive Engineers (Roads and Buildings) and making applicable them to Executive Engineers (General).

2. The Government, after careful consideration of the matter, hereby direct that powers delegated to the Executive Engineers (Roads and Buildings) vide items 9 and 10 of GO. Ms. No. 1007, T.R. & B. dated 5-11-1986 shall also be exercised by the Electrical Engineers (General) henceforth.

### F — POWERS OF SUB-DIVISIONAL OFFICERS

436. The powers specified in clauses (h), (i) and (j) below can be exercised by all Sub-divisional Officers (permanent and officiating) irrespective of the length of their service.

The powers specified in clauses (a) to (e) and (g) below can be exercised by

(1) Permanent Assistant Engineers recruited from Supervisors irrespective of the length of their service as Sub-Divisional Officers;

(2) Officiating Assistant Engineers recruited from supervisors with 3 years service as Sub-divisional Officers ; and

(3) Direct recruited permanent Assistant Engineers with 3 years service as Sub- divisional Officers.

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

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

Assistant Engineers should inspect all works personally costing below Rs. 1.00 lakh before submitting for sanction.

*Upto a limit of Rs.*

(1) Buildings designed on standard plans	1,000
(2) Buildings not based on standard plans	500
(3) Irrigation Nil.	

**Note 1:**—Sub-divisional Officers should consult Executive 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 Sub- divisional Officers may however, be recommended by Superintending Engineers to be invested with enhanced powers up to Rs. 2,500 and Rs. 1,500 under items (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 limits :

(1) Roads and buildings	1,000
(2) Irrigation	Nil

## (c) Sanction to estimates for ordinary repairs

- |   |       |
|---|-------|
| (1) Roads and buildings excluding residential buildings and electrical works subject to the limit prescribed in Paragraph 144   | 2,500 |
| (2) Irrigation limited to earth work or repairs to bunds and channel banks and only in accordance with T.R.S. levels and sections. No masonry works is to be included | 2,500 |

**Note 1** :—This does not conform powers to sanction estimates containing provision for work-establishment.

**Note 2** :—By the works “T.R.S. levels and sections” is meant “approved standard sections such as those given in the revised list of minor works”.

- |   |       |
|---|-------|
| (d) To accept tenders and to enter into piece work agreements on standard forms | 5,000 |
|---|-------|

**Note 1** :—Direct recruited Assistant Engineers and officiating Assistant Engineers of not less than three years’ service are empowered to accept piece work agreement up to a limit of Rs,2,500 in the case of works connected with repairs and improvement to all canals, channels and tanks irrespective of whether they form part of irrigation systems or not and to accept written undertakings (for petty works) given by contractors under Paragraph 175 of this Code.

**Note 2** :—Selected officers who have put in a service of not less than five years as Sub- divisional Officers may, however, be recommended by Superintending Engineers to be invested with enhanced powers upto Rs. 10,000 in the matter of accepting tenders and entering into piece work agreements on standard form.

**Note 3** :—The above delegation in respect of “agreements” applies to piece work agreements only subject to the following conditions

(i) that the agreements containing lump-sum item, or items not included in the sanctioned estimate or rates in excess of those in the sanctioned estimate or addition to or alterations in the authorised form should be accepted by higher authority than the Sub-divisional Officer;

(ii) that for items for which lump-sum are provided for in sanctioned estimates, the agreements should specify the rates with detail and the total amount for each of the items, according to the specified rate, should not exceed the lump-sum provisions 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 these 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 estimates, but not including office furniture or livestock | 1,000 |
|--|-------|

(f) Sub-divisional officers have no powers to sanction excess over estimates sanctioned by higher authority, nor to approve deviation statements of workslips, for estimates sanctioned by a higher authority.

(g) They can sanction urgent estimates for tank-bunds or channel banks which have breached but which have not been investigated by the T.R.S. This is applicable only in cases where the estimates referred to therein are classifiable under “ordinary repairs”.

(h) Sub-divisional Officers can approve of sales of dead and fallen trees in the compounds of the public buildings or by the sides of roads in charge of the Public Works Department and on Irrigation works up to a limit of Rs. 100 in such case subject to the following conditions

(1) that the sales are confined to trees fit for use as firewood only and to those which are less than in gift 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 the Sub-divisional 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 Executive Engineer should be taken, the sale in cases where there are no such objections being confirmed after a fortnight.

(i) Sub-divisional Officers are also invested with powers 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 up to a limit of Rs.100 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 (h) above.

(j) Sub-divisional officers can approve of grass, fruit and fishery lease up to a limit of Rs. 100 in each case subject to the condition that the period of leases shall not exceed one year and that the sale amount shall not be less than the average of the previous three years.

(k) Under Sections 255 and 59(d) of the Andhra Pradesh Forest Act, 1882, (Andhra Pradesh Act V of 1882) Assistant 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 Public Works Department.

**G - POWERS OF ASSISTANT SUPERINTENDENT, PUBLIC WORKS  
WORKSHOPS, HYDERABAD, SEETHANAGARAM AND  
THE JUNIOR SUPERINTENDENT INCHARGE OF  
THE WORKSHOPS AT DOWLAI SWARAM**

**437.** To approve work order estimates upto a limit of Rs.500 in each case.

**H — POWERS OF CIVIL OFFICERS**

**I. Accord Administrative approval**

**A. Original works other than Residential Buildings and Electrical works**

**438.** The following authorities have been empowered to accord administrative approval to original works, other than residential buildings and electrical works the cost of which is debitable to the Public Works grant

The Board of Revenue	Rs.10,000
The Commissioner of Excise	Rs.10,000
The Chief Conservator of Forests	Rs.10,000
The Director of Public Instruction	Rs. 5,000

The Director of Industries	Rs. 5,000
The Director of Agriculture	Rs. 5,000
The Inspector-General of Prisons and Chief Inspector of Certified Schools	Rs. 5,000
The Inspector-General of Police	Rs. 5,000
The Inspector-General of Registration	Rs. 5,000
The Commissioner of Labour	Rs. 5,000
The Commissioner of Police	Rs. 5,000
The Director of Medical Services	Rs. 5,000
The District Judges	Rs. 5,000
The Registrar of Co-operative Societies	Rs. 5,000
The Registrar, High Court	Rs. 5,000
The Superintendent of Stationery	Rs. 5,000
The Collectors and District Magistrates	Rs. 5,000
The District Magistrates (Judicial)	Rs. 5,000
The Agents to the Governor	Rs. 5,000
The Director of Fisheries	Rs. 1,000
Director of Veterinary Services	Rs. 5,000
The Chief Presidency Magistrate	Rs. 500
The Director of Stationery and Printing	Rs. 500
The Chief Secretary to Government in regard to additions and improvements to Secretariat buildings at Hyderabad	Rs. 5,000
The Director of Public Health	Rs. 1,000

**Note 1** —The administrative approval of the authorities empowered to accord such approval in Paragraphs 438 to 443 is indicated by their counter signature on the plans and estimates. The Assistant Inspector-General of Police, Deputy Director of Public Instruction, the Personal Assistant to the Director of Agriculture and the Personal Assistant to the Deputy Inspector-General of Police, Railways and C.I.D., the Chief Conservator of Forests, the Commissioner of Labour and the Director of Medical Services with the Government of Andhra Pradesh are authorised to sign on behalf of the head of the department plans and estimates where the plans conform to an approved type design. In all other cases, the authorities empowered to accord the administrative approval should themselves countersign the plans and estimates.

In the case of original works (other than residential buildings, and electrical works and cost of which is debitable to P.W.D. Budget) which have been administratively approved by the Chief Secretary to Government, the plans and estimates may be countersigned by the Deputy Secretary (General), General Administration Department upto a limit of Rs. 5,000.

**Note 2** :—(i) In the case of works relating to Stationary Sub-Magistrates' offices which are located in the same building as the Taluk office, the Revenue Department shall be

deemed to be in charge of the whole building: administrative approval to such works shall be accorded by the officers of that department upto the limit of their powers, the expenditure being not from funds provided under "General Administration".

(ii) Works relating to Stationary Sub-Magistrate's offices which are located in separate or detached buildings, even though situated in the same compound with other buildings, shall be deemed to be in charge of the Judicial Department; administrative approval to the proposal shall be accorded by the Department upto the limit of their powers, the expenditure being met from funds provided under the head "Administration of Justice".

**Note 3** :—The Collector of the Board of Revenue, as the case may be, should obtain the prior approval of Government to proposals for the provision of a third set of rooms of Inspection bungalows with double accommodation.

### **B. Residential Buildings**

**439.** The outlay chargeable to the capital account of Government residential buildings requires the sanction of Government subject to the following exceptions

(1) The Inspector-General of Police and the Inspector-General of Prisons may accord administrative approval to works connected with constables, or jail warders' huts provided that—

(a) The amount of the estimate in each case does not exceed Rs. 5,000 (an estimate must be provided for the whole scheme contemplated at the time of its preparation and may not be split up in order to keep the expenditure within the Rs. 5,000 limit);

(b) The proposals are in accordance with the latest type-designs approved by Government; and

(c) Outside works are restricted to minor sanitary works such as drains, latrines, wells, and the like.

**Note 1** :—The above officers are also empowered to sanction finally the execution of the foregoing works departmentally subject to the same conditions and provided further the estimate is based on rates not exceeding those in the current schedules of the Public Works Department.

**Note 2** :—Under sub-clause (c) above, the officers concerned may accord administrative approval to works connected with water supply from Municipal mains to the Police lines and jail warders' huts, but Note I above will not apply to such works. They should be got executed by or through agency of the Public Works Department with reference to Paragraphs 196 and 254 of this Code.

**Note 3** :—The barracks for constables in the camps of the Malabar Special Police are to be treated as constables' huts falling under exception (1) to the rule.

(2) The authorities mentioned in Paragraphs 415, 417 and 438 may accord administrative approval to works connected with quarters for employees in inferior service upto the limit of the powers delegated to them in respect of non-residential buildings subject to provision (b) and (c) in clause (1) of this paragraph. Executive Engineers in charge of divisions can exercise similar powers, vide Paragraph 428.

**440.** The following authorities 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 not exceed the amount of rent to be recovered of the class of tenant for whom it is intended

The Board of Revenue.

The Commissioner of Excise.

The Chief Conservator of Forests.

The Chief Engineers.

The Collectors.

The Director of Agriculture.

The Director of Industries.

The Director of Fisheries.

The Inspector-General of Prisons and Chief Inspector of Certified Schools.

The Inspector-General of Registration.

The Inspector-General of Police.

The Registrar, High Court.

The Commissioner of Police.

The Director of Public Instruction.

The Director of Medical Services.

The Registrar of Co-operative Societies.

The Director of Veterinary Services.

The Director of Public Health.

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.

**Note** :— (i) The Director of Medical Services is empowered to accord administrative approval for estimate not exceeding Rs. 200/- for improvement to rent-free quarts

(ii) In the case of law chambers in the High Court the Registrar, High Court, shall exercise the powers of administrative approval delegated to him to a limit of Rs.500 in each case, subject to the conditions (1) that the improvements are limited to works of a minor character so as to keep the Chambers upto the standard ordinarily expected in the case of Chambers on a similar scale and (2) that the works sanctioned will not affect the prevailing market rate of rent, as to which the Registrar shall be the Judge.

### **C. Electrical Works**

#### **(1) Non-residential Buildings**

**441.** Outlay on the first installations of electrical works in a building requires the sanction of Government. The authorities mentioned below, have, however, been empowered to accord administrative approval for additions, improvements and alterations to existing electrical installations upto the limits specified against them.

<i>Authority</i>	<i>List of Powers</i>
Board of Revenue	Upto Rs. 1,000 for estimate.
Chief Conservator of Forests	-Do.-
Chief Engineer (Irrigation, Buildings and Roads),	-Do.
Chief Engineer (Electricity)	-Do.-
Director of Medical Services of Andhra Pradesh	-Do.-
Collectors and District Magistrates	-Do.-
The District Magistrates (Judicial)	-Do.-
Commissioner of Labour	-Do.-
Commissioner of Police	-Do.-
Director of Agriculture	-Do.-
Director of Fisheries	-Do.-
Director of Industries and Commerce	-Do.-
Director of Public Instruction	-Do.-
Director of Veterinary Services District Judges Inspector-General of Police Inspector-General of Prisons and Chief Inspector of Certified Schools	Upto Rs. 1,000 a year for each buildings including appurtenant buildings in the same compound.
Inspector-General of Registration	
Registrar, High Court	
Officers above the Grade of Deputy Secretary to Government including State Legislature	
Superintending Engineers	
Director of Stationery and Printing	
Executive Engineers	(1) For Works in buildings occupied by the Public Works Dept. upto Rs. 500 a year for each building including appurtenant buildings in the same compound vide Note 1 under Paragraph 428-I-A(2)  (2) Upto a limit of Rs. 100 per year for each building in the case of small estensions to electrical installation in buildings occupied by other department which are incharge of the Executive Engineers vide Note 2 under Paragraph 421 -I-A(a)

**Note 1 :—Provision of ceiling fans in Court Houses, etc. :—**The standard scale of electrical fittings in Court Houses, Police Stations, Jails, Hospitals and Offices (General) as approved is laid down in Appendix XXIII. This should be adopted only as a general guide and the necessity for each item should be scrutinised carefully before sanction. The competent authorities are allowed, however, to sanction any extra items in special cases, if absolutely necessary.

**Note 2 :—Provisions of ceiling fans for Non-Gazetted Officers in Government Offices :—**Provision of fans is allowed for Non-Gazetted officers in electrified Government buildings according to the scale laid down in Appendix XXII to the A.P.P.W.D. Code.

## (2) Residential Buildings

**442.** Outlay on the first installation of electrical works in residential buildings requires the sanction of Government. The authorities mentioned below are however, empowered to accord administrative approval to additions, improvements and alterations to existing electrical installations in residential buildings up to a limit of Rs.500 a year for each residence, including out-houses subject to the conditions (i) that the standard rent of the quarters does not exceed the amount of rent to be recovered of the class of tenant for whom the quarters are intended and (ii) that the current consumption charges are recovered from the tenants.

The Board of Revenue.

The Commissioner of Excise.

The Chief Conservator of Forests.

The Chief Engineer (Roads and Buildings) and Chief Engineer (Electricity).

The Collectors.

The Director of Agriculture.

The Director of Industries.

The Director of Fisheries.

The Inspector-General of Prisons and Chief Inspector of Certified Schools.

The Inspector-General of Registration.

The Inspector-General of Police.

The Registrar High Court.

The Commissioner of Police.

The Director of Public Instruction.

The Director of Medical Services.

The Registrar of Co-operative Societies.

The Director of Veterinary Services.

The above delegation does not apply to rent-free quarters.

**Note (i) :—** The Director of Medical Services is empowered to accord administrative approval to additions, improvements and alterations to existing installations in rent-free quarters up to a limit of Rs.200 a year in each rent free quarters including out-house.

- (ii) In the case of law Chambers in the High Court, the Registrar, High Court, shall, exercise the powers of administrative approval delegated to him up to a limit of Rs.500 in each case, subject to the condition (1) that the improvements are limited to works of a minor character so as to keep the Chambers upto the standard ordinarily expected in the case of Chambers on a similar scale and (2) that the work sanctioned will not affect the prevailing market rate of rent, as to which the Registrar shall be the Judge.
- (iii) (a) **Residential Buildings** :—The schedule of electrical fittings for Government residences will be as shown in Appendix XXII. This should be adopted only as a general guide and the necessity for each item should be scrutinised carefully before sanction. The competent authorities are allowed however, to sanction any extra item in special cases absolutely necessary provided that the scale of electrical fittings and the recovery of rent for fans do not apply in the case of residential quarters of gazetted and non-gazetted staff at the Raj Bhavan.
- (b) **Inspection Bungalows** :—The following will be the standard scale of electrical fittings for Inspection Bungalows.
- (1) **Lights** :—One in each room and one for every 30 feet of each verandah; one tables light for each set of rooms (in bungalows frequently visited by officers and which have also run at a profit in each of the preceding three years).
- (2) **Ceiling fans** :—One in each suite and one in the common room. An amount of Rs.0.13 np. will be charged for each set of rooms provided with a ceiling under occupation for 24 hours or part thereof. This is in addition to the electric charge of Rs.0.13 np. towards the average of lights.
- (3) **Wall plugs** :—One for each suite and one in the common room.
- (4) **Bowl Heaters** :—One for each suite in inspection Bungalows situated at an altitude of 3,000 feet and above.

#### **D. Powers of the Military Secretary to His Excellency the Governor**

**443.** The Military Secretary to His Excellency the Governor has been authorised to accord administrative approval to works connected with the Government House as below:

- |  |                              |
|--|------------------------------|
| (i) Ordinary original works relating to His Excellency the Governor's residence and non-residential buildings. | Upto Rs. 5,000 in each case. |
| (ii) Other residences in the Government House Compound.  | Upto Rs. 1,500 in each case. |
| (iii) Improvements and additions to electrical works.  | Upto Rs. 1,500 in each case. |

#### **II. To accord Technical Sanction**

**444.** The Collectors have been empowered to sanction estimates for Agency works technically up to a limit of Rs.5,000 for each work.

#### **III. To pass Excess over Estimates**

**445.** The Collectors have been empowered to pass finally all excesses over the amounts of estimates sanctioned by them upto a limit of 5 per cent.

#### IV. Contracts and agreements

**446.** The Collectors have been empowered to enter into contracts up to a limit of Rs. 25,000 and into piece work agreements up to a limit of Rs. 50,000 for works executed by them as Civil Officers acting as Public Works Disbursers, subject to the condition that the amount of the contract or agreement does not in the case of works costing above Rs. 5,000 exceed the amount of the sanctioned estimate and, in other cases the amount of the sanctioned estimate plus such excess as they are competent to sanction under Paragraph 445 of the Andhra Pradesh Public Works Department Code, and also subject to the condition that no addition and alterations in the authorised standard forms are made by the Agent Collectors.

*Note* :— The restrictions in the note to Paragraph 431 of Andhra Pradesh Public Works Department Code will also apply.

#### V. Stores

**447.** The Collectors have been empowered

(i) to write-off tools and plant in those cases where only part values have been recovered for causes which they consider reasonable;

(ii) to issue orders for the disposal, by sale or otherwise, of 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 whichever is less, and of materials received from works dismantled or undergoing repairs at their estimated value, up to a limit of Rs. 2,500, and

(iii) to sanction the sale of unserviceable stores at less than their full book value when the original purchase value of the article does not exceed Rs. 2,500.

**448.** The Military Secretary to His Excellency the Governor is empowered to write-off tools and plant in his charge in those cases where part values have been recovered for cases which he considers reasonable.

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# APPENDIX I

## Agency Transaction

### CENTRAL WORKS

#### A.—PREAMBLE

1. Public Works connected with the administration of departments of the Central Government, such as Defence of India, Postal and Telegraphs, Customs, Income-tax, Salt, Currency, Ecclesiastical etc., as well as European cemeteries and such other matters of inter-state concern as may be specially notified by the President are included among Central subjects (*vide* items 1(a) and (b), 5(a) and (c), 6, 10, 11, 12 and 34 of Schedule I and items 6 and 7 of Schedule II of the Devolution Rules. The President may use the agency of the Governor in respect of such works (see Devolution Rule 46) and this Appendix deals with the financial conditions of such agency. The cost of all such works is borne by Central Government.

#### B.—RULES GOVERNING THE ACCORD OF SANCTION TO PROJECTS FOR PUBLIC WORKS

##### The expenditure which is chargeable to Central Revenues

###### *I. Introductory*

2. The new rules are intended to define the scope of the functions of State Government in respect of Central Works, as also of officers of the Public Works Department working either directly subordinate to or under the control of authorities directly subordinate to the President. They do not apply to works carried out otherwise than through the agency of the Public Works Department, nor should anything in them be deemed to override any special rules laid down by the Government of India for application to special cases of works, e.g., the Ecclesiastical Rules.

The general rules contained in Paragraph 1 to 32, which govern the accord of approval and sanction of Central Works, are applicable also, *mutatis and mutandis*, when work is executed by the Public Works Department of a Governor's State on behalf of the Central Government. But officers employed on such works will exercise in respect of them the same powers of technical sanction as they exercise in respect of State works (*vide* Rule 18).

###### *II Classification of the Operations of the Public Works Dept*

2-A. The operations of the department are divided primarily into two categories, original works and repairs, the first including new works, alterations, additions and purchases, the second repairs and maintenance. For the purpose of this rule, all work necessary to bring into use newly purchased or previously abandoned buildings fall in the first category.

(a) All original works and special repairs, costing more than Rs. 2,500 relating to Central Civil Buildings and Communications shall be executed through the agency of Public Works Department, Central or State as the case may be. These orders will not apply to works pertaining to the Archaeological, the Light House and the Salt Departments.

(b) In exceptional cases in which the Public Works Department is not employed for the construction of original works and special repairs costing more than Rs. 2,500 the

Audit Department shall invariably be consulted at the initial stage i.e., prior to an agreement being entered into with an architect or contractor, so that suitable provision may be made, so far as possible, for normal audit check and financial control.

(c) With regard to maintenance such buildings as have been transferred to the administrative control of departments e.g., Posts and Telegraphs and Civil Aviation buildings shall be maintained by the heads of departments concerned who will make the entire arrangements for all ordinary repairs as well pertaining thereto, without reference to the Public Works Department except where it is not possible for them to do so. In all other cases the State or Central Public Works Department will continue to be responsible for maintenance and original works, irrespective of their cost.

**Note 1** :—The rules in the above sub-paragraphs (a) to (c) do not apply to works and repairs in connection with sanitary, water-supply and electrical installations which will continue to be governed by Rule 4 of Appendix—S of the Civil Account Code, Volume I.

The Salt Department however, is exempted from the operation of Rule 4(a) of the Appendix referred to and that department may continue to execute departmentally works and repairs connected with sanitary, water supply and electrical installations in Government buildings under its administrative control.

**Note 2** :—When a portion of an existing structure is to be dismantled and replaced, if the cost of such replacement represent a genuine increase the permanent value of the property as an asset, the work should be classed, as original work, the cost (which should be estimated if not known) of the portion replaced being credit to the estimate for “original work” and debited to “repairs” in all other cases, the whole cost of the new work should be charged to “Repairs”.

**Note 3** :—The capital value of any portion of a building which is abandoned or dismantled without replacement should be written off the total capital value of the buildings as recorded in the books.

### ***III. Basic Rules applicable to all Central Public Works Executed by the Public Works Department***

3. There are four main stages in the project for a Central Works, viz., administrative approval, expenditure sanction, technical sanction, and the appropriation or re-appropriation of funds. These stages are described in the following rules :—

#### **(a) Administrative Approval**

4. For every work (excluding petty works and repairs) it is necessary to obtain, in the first instance, the concurrence of the competent authority of the administrative department requiring the work. The formal acceptance of the proposal by that authority is termed “administrative approval” of the work, and it is the duty of the local officer of the department requiring the work to obtain the requisite approval to it. An approximate estimate and such preliminary plans as are necessary to elucidate the proposals should be obtained from the Public Works Department, and subject to any orders which the State Government may prescribe, the Divisional Officer may be required to provide those on the requisition of the head of the department concerned, or of such officer as is competent to accord administrative approval to the work. In cases in which the approximate estimate exceeds Rs. 10,000, the estimate and plans should be forwarded to the requisitioning authority through the Superintending Engineer. The Divisional Officer must, however in each case, exercise his judgement on the demand made and it is his duty to oppose at this

stage any application of the real necessity for which he is not satisfied. In any case in which he fee) he cannot recommend the execution of a work called for by a duly constituted authority he should explain his objection to the officer concerned and if he fails to convince him, should refer the matter for the orders of the Superintending Engineer. The procedure prescribed in this rule will apply also to modifications of the proposals originally approved, if by reason of such modifications, revised administrative approval becomes necessary (vide Rule 15) and two material deviations from the original proposals, even though the cost of the same may be covered by savings on other items.

*Note 1* :—All archaeological conservation works are to be classified as “Repair” works- Annual or Special, as the case may be. All such conservation works require the administrative approval of the Archaeological Department.

*Note 2* :—In the case of works required not for a particular department but in the interest of the general public, e.g., communications and irrigation works no formal administrative approval is required, but the State Government should lay down such rule as may be necessary to ensure the submission and the scrutiny of preliminary designs and estimates before the detailed estimate is prepared for the purpose of technical sanction.

### (b) Expenditure Sanction

5. Expenditure sanction means the concurrence of the Government of India in the expenditure proposed, in cases where this is necessary, vide Rule 16. In all other cases the act of appropriation or reappropriation of funds (see Rule 7) will operate as sanction to the expenditure concerned: The duty of obtaining expenditure sanction where necessary rests with the department requiring the work.

### (c) Technical Sanction

6. Subject to the provisions of Paragraph 135. of this Code, for each individual work proposed to be carried out, except petty works, petty repairs and repairs for which a lump-sum provision has been sanctioned under Paragraph 147, properly detailed estimate must be prepared for the sanction of competent authority, this sanction is known as the technical sanction to the estimate and except in cases such are referred to in Rules 8 and 25 must be obtained before the construction of the work is commenced. As its name indicates it amounts to no more than a guarantee that the proposals are structurally sound, and that the estimates are accurately calculated and based on adequate data such sanction will be accorded by the officer of the Public Works Department authorized, to do. In the case of an original work, other than a petty work the countersignature of the local head of the department on behalf of which its execution is proposed or of such other officer of lower status as may have been empowered to accord administrative approval to it, should be obtained to the plans and estimate in token of his acceptance of them before technical sanction to the latter is accorded. If subsequent to the grant of technical sanction, material structured alterations are contemplated, the orders of the original sanctioning authority should be obtained even though no additional expenditure may be involved by the alterations, see Rule 23.

*Note* :—It is not essential that expenditure sanction should invariably be obtained before technical sanction is given; in some cases it may be convenient to reverse the orders of these stages. But, until funds for the work have actually been allotted or promised by competent authority, Divisional officer cannot be required except by his departmental superiors, to prepare the detailed plans and estimates necessary for the purpose of technical sanction.

**(d) Appropriation and Re-appropriation**

7. Appropriation or re-appropriation represents the allotments of a particular sum of money to meet expenditure on a specified object and is operative only for the official year for which it is made.

**(e) Summary**

8. It follows from the provisions of Rules 4 to 7 above that, except in cases where the omission of one or more of the stages therein referred to is permissible under other rules, it is a fundamental rule that no work shall be commenced or liability incurred in connection with it until administrative approval has been obtained, a properly detailed design and estimate have been sanctioned, expenditure sanction has been accorded and allotment of funds made. If, in any case, whether on grounds of urgency or otherwise, an executive officer required by superior authority to carry out a work or incur a liability which involves an infringement of these fundamental rules, the orders of such authority should be conveyed in writing. On receipt of such written orders or in case of emergency, on his own responsibility, the officers may proceed to carry out the necessary work, subject to the condition that he immediately initiates to the Audit Officer concerned that he is incurring an unauthorized liability and states approximately the amount of the liability which he is likely to incur.

***IV. Powers of Authorities to accord Approval or Sanction to  
Central Public Works*****(a) General**

9. A group of works which forms one project shall be considered as one work and the necessity for obtaining the approval or sanction of higher authority to a project consist of such a group of works is not avoided by the fact that the cost of each particular work in the project is within the powers of approval or sanction of the State Government and officer concerned.

*Note* :—While no officer may sanction any estimate for a work which cannot be fully efficient unless other works are also sanctioned, if the cost of all such works collectively exceeds his power of sanction, it is not the intention that two or more works should be regarded as forming part of a group works, merely because they are of the same nature if they are otherwise mutually independent.

**(b) Administrative Approval**

10. Subject in the case of residential buildings to the condition that the scale of accommodation supplied shall not exceed that which is appropriate to the status of the occupant, and to the restrictions mentioned in Rule 13 below, a local Government is empowered to accord administrative approval to a work required to meet the needs of a department other than one of the departments mentioned in Rule 32 provided that the estimated cost of the work does not exceed Rs. 20,000.

11. Subject in the case of residential buildings to the condition that the scale of accommodation supplied shall not exceed that which is appropriate to the status of the occupant, and to the restrictions mentioned in Rule 13 being, the authorities specified in Rule 32 are empowered to accord administrative approval to a work required to meet the needs of their departments, provided that the estimated cost of the work does not exceed amount specified in that rule against their names.

12. When the estimated cost of a work exceeds Rs. 20,000 or in the case of a work required by one of the departments specified in Rule 32, the powers of any officer of the department in question the administrative approval of the Government of India in the administrative department concerned must be obtained through the State Government.

13. The exercise of powers are conferred by Rules 10 and 11 above are subject to the following restrictions:

(a) No authority is entitled to accord administrative approval to estimate for alterations or additions to a residential building, if the effect of the expenditure contemplated would be to increase the capital cost of the buildings to a figure beyond that to which the authority in question is competent to accord administrative approval in the case of a new residence.

*Note* :—As an exception to this sub-rule, the Public Works Department of the State Government may, in all cases accord administrative approval to estimates for alterations and additions to existing residential buildings up to a limit of Rs. 200 in each case except in special circumstances where a higher limit has been fixed by the Government of India.

**(b) The powers conferred do not extend to the provision of two or more houses for the same officer**

14. The State Government may, as its discretion delegate its powers of administrative approval, in whole or part, to officers subordinate to it.

**(c) Excesses over amount administratively approved**

15. When the expenditure upon a work exceed or is found likely to exceed the amount administratively approved for it by more than 10 per cent, or the limit prescribed in Rules 10 and 11, whichever is less, a revised administrative approval must be obtained from the authority competent to approve the cost not so enhanced.

*Note* :—No revised administrative approval, is however necessary if the excess is covered by requisite expenditure sanction.

**(d) Expenditure Sanction**

16. Expenditure sanction were such sanction is necessary under Rule 27(3) of the rules in the Government of India Book of Financial Powers, can be given only by Finance Department of the Government of India. Application for such sanction should be made through the Government of India in the administrative department concerned.

**(e) Modifications in expenditure sanction**

17. Any excess over the amount to which expenditure sanction has been given requires a revised expenditure sanction which should be applied for as soon as such an excess is foreseen. For the procedure in case where savings are anticipated, see Rules 21 and 24.

**(f) Technical sanction**

18. The following officers are empowered to accord technical sanction to detailed estimates for works subject to the limits stated below which are exclusive of charge for establishment and tools and plant:-

	<b>Rs.</b>
Chief Engineer	5,00,000

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Superintending Engineer	1,00,000
Divisional Officer	10,000

**(g) Excesses over technical sanction**

19. A revised estimate must be prepared when the sanctioned estimate is likely to be exceeded by more than 5 per cent except in the cases provided for in Note 1 under Rules 21 and 22.

20. The powers of officers of the Public Works Department to accord technical sanction to revised estimates are the same as their powers to accord original sanctions.

21. An officer of the Public Works Department may pass excesses over estimates provided that the excess is not more than 5 per cent of the amount sanctioned and does not exceed the amount up to which he is entitled to accord sanction to an original estimate.

*Note 1* :—As an exception to this rule, any officer named in Rule I may pass excess expenditure within a limit of Rs. 100 on sanctioned original works and repairs, irrespective of the total amount of the sanctioned estimate.

*Note 2* :—No officer of the Public Works Department is entitled to pass any excess over a revised estimate sanctioned by a higher authority than himself.

22. When the excess occurs at such an advanced period in the construction of a work as to render the submission of a revised estimate, purposeless and the completion report is utilized as such revised estimate under Paragraph 215 of this Code, an officer of status not lower than that of Superintending Engineer may pass the completion report if the total expenditure in question is not greater than that which he is empowered to sanction in the case of a revised estimate under Rule 20.

**(h) Modification in amount technically sanctioned**

23. In cases where a substantial sanction of a project sanctioned by a higher authority than himself has been abandoned, or where material deviations from the original proposals are expected to result in substantial savings the Superintending Engineer must revise the amount of the estimate and intimate both to the Audit Officer and to the Divisional Officer that the amount of the expenditure sanction should be reduced accordingly. In cases where the saving is due to material deviations of a structural nature from the design originally approved and the amount of the revised estimate is greater than that up to which the Superintending Engineer is empowered to sanction estimates technically, a revised technical sanction must be applied for from competent authority.

24. If at any time, either before or during the construction of a work, it is found that the original estimate for it is excessive for reasons other than those mentioned in Rule 23, an officer of rank not lower than Divisional Officer may sanction a revised estimate for it, even though the amount of such revised estimate may exceed that to which he is ordinarily empowered to accord sanction. When according such sanction he should intimate to the Audit Officer that the amount of the expenditure sanction should be reduced accordingly.

**(i) Technical sanction to competent parts of a project**

25. In exceptional cases where it is desirable to commence work on a project to which expenditure sanction has been accorded by competent authority before the detailed estimate for the whole project has been sanctioned, it is permissible for the authority

competent to sanction the final technical estimate as a whole to accord sanction to detailed estimate for component parts of the project, subject to the following conditions:

(1) For each such work or competent part there must be a fully prepared detailed estimate, and, in the expenditure sanction as a whole, there must be a clear and specific amount corresponding to the work or component part in question.

(2) The amount of the detailed estimate must not exceed the amount included in the expenditure sanction.

(3) The sanctioning authority must be satisfied, before according sanction, that no material deviations from the whole project as prepared for the purpose of expenditure sanction are to be anticipated, and that the amount of the technical sanction for the whole projects is not likely to exceed the amount of the expenditure sanction.

*Note* :—This rule does not apply to estimates for parts of individual buildings.

#### **(j) Appropriation and Re-appropriation**

26. The State Government has full powers to appropriate funds out of the sums allotted to it to meet expenditure from central revenues upon public works; Provided—

(a) that the work for which supply is appropriated has received such administrative approval and expenditure and technical sanction as is required by the foregoing rules;

(b) that the amount appropriated to any work does not exceed the amount approved or sanctioned by a sum greater than the excess which may be authorized under these rules;

(c) that the provision for “establishment” is not utilized to meet any excess over the sanctioned permanent establishment or the provision made for temporary establishment;

(d) that in the case of civil works, the lump-sum provision for “minor works” is not increased;

(e) that, provision made for a new major work is not appropriated to any other item or work included in the same sub-head; and

(f) that, savings accruing from provision made for original major works in progress are appropriated only to a work or works of the same category accounted for under the same head.

27. Subject to the above conditions, the State Government may re-appropriate sums from any primary unit of appropriation to any other such unit within the head “50” provided—

(a) that no re-appropriation shall be made to meet any expenditure, other than contingent expenditure, which is likely to involve further outlay in future financial year

(b) that no re-appropriation shall be made from or to the units “grant-in-aid” or “pay of officers”;

(c) that no re-appropriation shall be made to or from the sub-heads “Dr. Major Works”, “Minor Works” and “Repairs”.

28. Where the conditions specified in Rules 26 and 27 are not fulfilled, the sanction of the Government of India in the Department of Industries and Labour (Public Works Branch) is required to the appropriation or re-appropriation.

29. The State Government may delegate any or all of its powers of appropriation or re-appropriation to the senior engineering officer in the State provided that the officer in question is of a status not lower than that of a Superintending Engineer.

#### V. Lapse of Sanction

30. The approval or sanction to an estimate for any public work other than annual repairs will unless such work has been commenced, cease to operate after a period of five years from the date upon which it was accorded—See Paragraph 136 of this Code.

#### VI. Communication to audit of approvals and sanctions

31. Sanctioning authorities will be responsible for the communication, to the Audit Officer concerned, of all approvals and sanctions accorded under the foregoing rules, which are not included in the monthly returns prescribed in Paragraph 212 of this Code.

32. Powers of authorities to accord administrative approval to works required to meet the needs of the Central Department specified—see Rule 11 above.

<i>Name of authorities (1)</i>	<i>Residential building (2)</i>	<i>Non-residential buildings (3)</i>
	<i>Rs.</i>	<i>Rs.</i>
<b>Ecclesiastical Department</b>		
State Governments (in respect of Chaplains residence)	20,000	-
<b>Customs Department</b>		
Central Board of Revenue	20,000	2,500
Collector of Customs, A.P.	2,500	2,500
<b>Salt Department</b>		
Central Board of Revenue	20,000	20,000
Collector of Salt Revenue, A.P.	2,500	10,000
<b>Income Tax Department</b>		
Central Board of Revenue	20,000	20,000
Commissioner of Income-Tax	2,500	2,500
Finance Department (Accounts)		
Auditor-General		5,000
Accountant General, A.P.		2,000
Accountant General, Posts and Telegraphs and Railways and the Controller of Civil Accounts		1,000

<b>Paper Currency Department</b>		
Controller of Currency	5,000	5,000
<b>Meteorological Department</b>		
Director-General of Observatories	5,000	5,000
<b>Public Works Department</b>		
State Governments (in the case of Public buildings appertaining to the Government of India)		1,000
<b>Miscellaneous</b>		
Local head of any department not specially mentioned	50	
<b>Posts and Telegraphs</b>		
Director-General of Posts & Telegraphs	10,000	20,000
Postmaster-General	10,000	10,000
<b>Archaeological Department</b>		
Director-General of Archaeology in India	10,000	10,000
<p><i>Note</i> :—So as far the works in the Customs Outposts Department are concerned powers may be exercised by the officers mentioned below to the extent specified, subject to the existence of budget provision for the purpose in each case:</p>		
(1) Works executed by the Public Works Department: Collector of Customs.  Administrative approval in respect of non-residential buildings :		10,000
(2) Public Works Department Works-Deputy Commissioner of Salt and Customs Revenue  Administrative approval in respect of residential and non residential buildings.		2,000

### C.—PRE-AUDIT OF SANCTIONS

33. All sanctions of the State Government to detail estimates for works excess over estimates, appropriations or re-appropriations or financial sanctions pertaining to works expenditure from Central Revenue must be pre-audit. This is not however, necessary in the case of similar sanctions or orders of authorities subordinate to the State Government.

### D.—PROJECT FOR MILITARY WORKS

34. The following rules will regulate the design and construction of fortifications under the administration of the Public Works Department of the State Government which are designed for occupation by regular troops or which may, in certain circumstances, be garrisoned by them and of which the cost in consequence is debitable to the Military Works estimates. These rules have been laid down by the Government of India and may not be modified by any other authority:

(i) No new works or alterations or additions to existing works should be executed until the project has been examined and passed by the Army Head-quarters. For

this purpose the project duly countersigned by the responsible civil or political authority concerned, shall be forwarded to the General Officer Commanding the District in which the fortification is situated, for submission to the authority competent to sanction the execution of the work.

(ii) Military Engineer Officers alone are to be entrusted with the supervision and execution of works of this nature. Cases in which it is not possible to comply fully with this rule should be referred to the Government of India for orders.

35. The following procedure should be observed when the State Government consider that it is necessary to design or construct defensive works, for occupation by armed forces which in times of peace are under the orders of civil or political authorities

(i) The opinion of the General Officer Commanding the District in whose area the work is to be situated, should first be obtained as to whether the work in question should be classed as a work of defence under Army Regulations, India.

(ii) In the event of the General Officer Commanding not considering that the work in question should be classified as a work of defence, then no further military opinion is necessary and the work may be executed by the agency usually employed by the State Government.

(iii) In the event of the General Officer Commanding considering that the work contemplated should be classed as a work of defence, then—

(a) The said General Officer Commanding should be consulted in regard to the conditions which should determine the siting and general design of the work, after which the designs and estimates should be prepared by an Officer of the Military Engineers under the orders of the State Government and should be submitted to the General Officer Commanding for his remarks. The State Government should then transmit the design and estimates, together with the remarks of the General Officer Commanding therein, to the Army Head-quarters, which after examining the projects, will forward them to the Government of India for disposal.

(b) When authorized the work should be carried out under the superintendence of an officer of the Military Engineers. If necessary, application should be made to the Government of India for the services of a Military Engineers Officer for the purpose.

36. All military buildings must be constructed according to the standard design fixed by the Government of India, when such have been published; and the sanction of that Government should be obtained when any deviation from the standard is considered desirable.

37. As regards regimental buildings for which no standard plans have been published, the approval of the Government of India to the proposed design must be obtained before the commencement of the work, even though its estimated cost is within the powers of sanction of the State Government.

38. All projects connected with the choice of permanent stations for troops, or for providing permanent accommodation for a large force than is at present quartered at a station, or for the provision of any military buildings which are not comprised in the general regimental or departmental standard schemes of accommodation require the sanction of the Government of India.

## ***II. Administrative Approval and Technical Sanction***

39. All works paid for from Military Works Funds require the administrative approval of the Government of India conveyed by general or special order. Most of the general sanctions are embodied in Army Regulations, India, either in detail in the tabular statement of authorized accommodation, or in general terms as roads, Water-supply, etc., in the preliminary paragraphs. A few general sanctions are also to be found elsewhere in Army Regulations, India, and in various letters and circulars. Works thus sanctioned are regarded as authorized works. A special sanction applies only to the works named in that sanction.

40. Because a work is authorized or has been specially sanctioned, it does not follow that it should be put in hand when the works department has funds available for the purpose. Any funds that may be available should be applied to the execution of whatever work may be most urgently required from a military point of view.

41. In the case of minor works (cost not exceeding Rs.10,000) carried out by - Military Works Agency. General Officers Commanding-in-Chief, Commands are given control of the minor works fund allotted for their Commands. From these funds, the Command authorities give assignments to Commanders of Districts or Independent Brigades, who in their turn make allotments to Officers, Commanding Stations. The correct procedure is for the Deputy Assistant Director of Military Works, who corresponds to an Executive Engineer in the Public Works Department, to prepare in consultation with the local military authorities a list of the minor works considered necessary, showing their approximate costs. The Officer Commanding the station, who is often a Brigade Commander, decides on what works the funds at his disposal are to be expended; in case of authorized works costing up to Rs. 200 he sanctions the expenditure himself when commanding a station; for works costing more than Rs. 200, when not himself a Brigade Commander he applies for sanction to the Officer Commanding Brigade, who has powers upto Rs. 10,000. In the case of every work proposed for execution, each financial authority should consider whether the work is authorized or not and for any un-authorized work administrative approval should be obtained through the usual channel before expenditure on it is sanctioned.

42. Minor works funds for stations in-charge of the Public Works Department are intimated to State Government by the General Officers Commanding-in-Chief of Commands and subsequently provided in the Public Works Department budget estimates, and the system described above should be followed in principle, the State Government placing the provision for minor works included in their budget estimate at the disposal of the District Commander or Commanders concerned.

43. Administrative approval to an estimate for an un-authorized minor work costing upto Rs. 10,000 will be given by the competent General Officer Commanding concerned upto his powers laid down in Army Instruction (India), No. 381 of 1921; technical sanction can then be given by the State Government.

44. Sanction to expenditure on major works is managed on the same principle. In the first place the funds available for the coming financial year are distributed by Army Headquarters to Command Headquarters, certain important works being classed "A" works and given specific allotments. The Command then prepares its preliminary budget at the same time intimating to State Governments grants for works to be carried out by Public Works Department agency. On receipt of this information, the State Governments prepare their preliminary budgets for military works, which will be submitted to Command

Headquarters and forwarded by them, with the Command preliminary budget to Army Headquarters for approval by the Government of India. The orders of the Government of India will be sent through Command Headquarters to State Governments and final budgets will then be prepared and published for the information of all concerned.

45. Estimates for major works, if authorized under a general or special sanction (Vide Paragraph 11 above require administrative approval by the General Officers Commanding under their powers in Army Instruction (India) No. 381 of 1921. When they exceed one lakh and in all cases when unauthorized they should be forwarded through the Headquarters of the Command to the Government of India for approval.

46. Technical sanction to estimates for major works may be given by State Governments up to a limit of Rs. 50,000, exclusive of establishment and tools and plant.

47. All proposals for re-appropriation for works, etc., should be submitted to General Officers Commanding for approval under their powers in Army Instruction (India) No. 381 of 1921. Applications for addition or for surrender of funds should be similarly dealt with.

48. Expenditure should not be incurred, under any circumstances, until funds have been definitely allotted for the purpose, and necessary estimates sanctioned by competent authority.

### ***III. Revised and Supplementary Estimates***

49. Provided previous administrative approval has been accorded by competent authority to the increased expenditure by competent authority, the State Government are authorized to accord technical sanction to a supplementary or revised estimate for a military work, the original estimate for which was beyond their powers of sanction, when the supplementary or revised estimate does not involve an additional charge of more than 10 per cent of the original estimate and provided also that the share of such additional charge debitable to general revenues is not more than Rs. 50,000.

(Paragraphs 200, 204 & 449 of the P.W.D. Code, Tenth edition and G.O.No. 1459, W., Dt. 7-10-1921)

### **E—ANCIENT MONUMENTS**

50. Archaeology is a central subject and under item 6(a) of Part II of Schedule I of the Devolution Rules the care of ancient monuments as defined in Section 2(1) of the Ancient Monuments Preservation Act of 1904 which are for the time being declared to be protected monuments under Section 3(1) of that Act devolves on the Central Government. The functions of the Public Works Department in regard to these are detailed in Paragraphs 257 and 258.

### **F.—CONSTRUCTION AND MAINTENANCE OF WORKS, POSTS AND TELEGRAPHS DEPARTMENT**

51 .(1) (i) The head of a circle in the Posts and Telegraphs Department may sanction the construction or purchase of buildings, the purchase or acquisition of land for a building and additions and alterations to buildings including residential buildings or portions of buildings, used as residences, belonging to the Indian Posts and Telegraphs Department upto a maximum limit of Rs. 10,000 excluding overhead charges in each case on condition that :—

(a) In respect of the constructions or purchase of buildings, the expenditure, if any, on the purchase or acquisition of the site or on the installation of sanitary, water-supply and electrical installations is taken into account for the purposes of determining whether the cost of the project falls within the prescribed maximum limit;

(b) in the case of additions or alterations to residential buildings, the capital cost of any such buildings is not thereby increased beyond Rs. 10,000.

(ii) A head of a circle may also sanction the execution of all ordinary repairs to buildings belonging to the Indian Posts and Telegraphs Department provided that the expenditure involved can be met from his budget allotment for such work.

**Note 1** :—In these rules a head of a circle includes a Postmaster General, Dy. Postmaster General in charge of a circle, Deputy Postmaster General, Railway Mail Service, Director of Telegraph Engineering in independent charge of a circle and the Director of Wireless.

**Note 2** :—These powers are subject to the limitations and restrictions laid down in the Book of Financial Powers regarding the financial powers of authorities subordinate to the President.

**Note 3** :—The powers of a head of a circle as defined in this rule also apply in respect of sanitary, water supply and electric installations in buildings including residential buildings.

New installations will be treated for this purpose as additions and maintenance of installations as “repairs”.

**Note 4** :—Rules relating to residential buildings or portions of buildings used as residences do not apply to those intended for gazetted officers.

**Note 5** :—Appropriation :—The sanctioned grants will be communicated to heads of circles in the shape of lumpsums allotted under the primary units of appropriations as laid down by the Government of India for the Indian Posts and Telegraphs Department. A head of a circle will have power to appropriate sum to meet expenditure falling under these units within the amounts allotted to those units provided that the Director General has power to make this appropriation.

(2) In the case of works funds shall not be appropriated to any work until it has received due administrative approval and technical sanction and the amounts so appropriated shall not exceed the amount shown for that work in the estimate to which technical sanction has been accorded.

**Note 6** :—Re-appropriation :—A head of a circle may re-appropriate funds from any primary unit of appropriation within his control to any other such units provided that the Director General has power to make this re-appropriation. No re-appropriation that would have the effect of increasing or decreasing the allotments placed at the disposal of a head of a circle to cover expenditure on the revision of fixed establishment and other recurring charges permissible.

#### G.—WRITE-OFF

52. The State Governments are authorized to write-off finally the recoverable value of stores or public money lost by fraud or negligence of individuals or other causes upto a limit of Rs. 10,000 but must report such losses to the Government of India when the loss exceeds Rs. 10,000.

The Chief and Superintending Engineers are empowered to write-off finally the loss in any individual case upto Rs. 500 and Rs. 300 respectively, provided that the loss does not disclose (i) a defect of system the amendment of which requires the orders of a higher authority, or (ii) 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 1* :—The expression “value of stores” used in this paragraph should be interpreted as meaning “book value” where priced accounts are maintained and “replacement values” in other cases.

*Note 2* :—All sanctions to write-off under this rule should be communicated to the Accountant- General.

(Article 227 — Civil Account Code, Volume I, and G.O.No. 597, Finance, Dt. 1-6-1920)

## **H.—INAUGURAL CEREMONIES**

53. The State Government may sanction expenditure on inaugural ceremonies connected with important public works chargeable to Central revenues up to a limit specified in Paragraph 47 of the Book of Financial Powers of the Government of India — (Vide page 31 of the A.P. Book of Financial Powers).

### **I.—Sale and Dismantlement of Buildings**

54. No permanent public buildings constructed from central funds, the book value of which exceeds Rs. 10,000/- may be sold or dismantled without the sanction previously obtained of the Government of India. Permanent public buildings constructed from central funds, of which the book value is Rs. 10,000/- or less may be sold or dismantled under the orders of the State Government. This rule does not apply to military buildings regarding which, see Army Regulations, India.

(Paragraph 305 of the P.W.D. Code, Tenth edition and G.O.No. 559, W., Dt. 20-4-1921)

*Note 1* :—The limit of Rs. 10,000/- prescribed above applies to the book value of the whole building and not to that of the portion proposed for sale or dismantlement.

(G.O.No. 2905, W., Dt. 19-11-1921)

*Note 2* :—Departmental officers are not allowed to remove permanent fixtures such as record racks from buildings belonging to the Central Government which are maintained by State Public Works Department without the prior consent of the Public Works authorities.

(G.O.No. 1776, W., Dt. 16-8-1927)

## **J.—RESIDENCES PROVIDED FOR POLITICAL PENSIONERS**

55. The State Government are empowered to sanction expenditure on repairs and improvements to residences for political pensioners subject to the total annual limit of Rs. 10,000/-.

(Govt. of India, Foreign, and Political Department No. F-89)

(G-29, Dt. 2-5-1929 and G.O.No. 1636, W., Dt. 4-6-1929)

## **K.—ELECTRICAL INSTALLATIONS IN POSTS AND TELEGRAPHS BUILDINGS**

56. Works and repairs in a connection with electrical installations in all posts and telegraphs buildings will be executed by the Posts and Telegraphs Department, Telegraph Engineering Branch. (G.O.Ms.No. 107, W., Dt. 21-1-55 & No. 1171, W, Dt. 7-8-25)

## **L.—CONTRACTS**

57. The following fundamental principles are laid down for the guidance of authorities who have to enter into contracts or agreements involving expenditure from central revenues:

(1) The terms of a contract must be precise and definite, and there must be no room for ambiguity or misconstruction therein.

(2) As far as possible, legal and financial advice should be taken in the drafting of contracts and before they are finally entered into.

(3) Standard form of contracts should be adopted wherever possible, the terms to be subject to adequate prior scrutiny.

(4) The terms of a contract once entered into should not be materially varied without the previous consent of the competent financial authority.

(5) No contract involving an uncertain or indefinite liability or any condition of an usual character should be entered into without the previous consent of the competent financial authority.

(6) Whenever practicable and advantageous, contracts should be placed only after tenders have been openly invited, and in cases where the lowest tender is not accepted, reasons should be recorded.

(7) In selecting the tender to be accepted the financial status of the individuals and firms tendering must be taken into consideration in addition to all their relevant factors.

(8) Even in cases where a formal written contract is not made, no order for supplies, etc., should be placed without at the least a written agreement as to price.

(9) Provision must be made in contracts for safeguarding Government property entrusted to a contractor.

(10) The Auditor-General and under his direction, other audit authorities have power to examine contracts and to bring before the Public Accounts Committee any cases where competitive tenders have not been sought, or where high tenders have been accepted or where other irregularities in procedure have come to light.

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## APPENDIX I—A

### Rules for the Preparation of Estimates for Military Defence Works carried out through the agency of the Public Works Department

1. Works of defence are classified by the Chief of the General Staff, Army Headquarters, as Class I, Class II or Class III, according to their importance.

When considered necessary and advisable by the General Officer Commanding-in-Chief, or the Chief of the General Staff in the case of Independent Brigade areas, clearance zones (Classes A, B, C) will be prescribed and clearly demarcated in the vicinity of all works of defence, and all land with such zones will be dealt with in accordance with the Indian Works of Defence Act, 1903.

When a clearance zone has been notified, except in so far as the notification may authorize modifications, to infringement of the restrictions imposed under the Act shall be permitted by any official or private person without the previous approval of the Officer Commanding or General Officer Commanding within their powers of exemption as specified in the Act, or the Government of India.

Without the previous sanction of the Government of India, no State land within the prescribed clearance zone shall be transferred, to sold to exchanged with, or permanently occupied by, any private person or municipality or corporation not immediately subject to the executive orders of the Government of India.

2. Whenever expenditure is to be incurred from Military Funds or whenever military land or buildings are affected proposals for new works of defence, or for additions or alterations to works of defence costing over Rs. 10,000 or for any changes in clearance zones, are to be submitted to the Chief of the General Staff who will obtain the sanction of the Government of India.

Additions and alterations to works of defence costing not more than Rs. 10,000 may be approved (as unauthorized works) by the following:

	<i>Rs.</i>
General Officer Commanding-in-Chief (Quartermaster-General in the case of districts or services directly under Army Headquarters)	10,000
General Officer Commanding District	2,500
General Officer Commanding or Officer Commanding Brigade or Brigade area	500

3. When a local administration wishes to construct a defence work, the entire cost of the work will be borne by the local administration.

4. Plans of all works of defence in their areas will be maintained in the Office of the Brigade Area of District Commander and at Command Headquarters.

Copies of plans of Class I defences will be maintained by the Chief of the General Staff.

The Brigade Area of District Commander is responsible for informing all concerned of any correction to the plans.

The plans will comprise a general plan of the whole defences showing the clearance zone; also large scale plans and sections of important portions.

5. A plan of the prescribed zone will be prepared on a scale sufficiently large to show all existing buildings, variations of ground-level, banks, hedges, trees, etc., the maintenance of which has been permitted. These will also be entered on a schedule attached to the plan.

The original plan and schedule will be kept by the Officer Commanding Station who will be responsible for keeping them corrected upto date and for seeing that the deviations approved by competent authority have been noted on each, the number and date of the approving letter being quoted on the schedule. The original plan and schedule will never leave the station (a copy should be made when required).

6. Brigade Area or District Commanders are responsible for the condition of all works of defence in their areas, and for seeing that the rules regarding the demarcation and control of clearance zones are strictly observed. They will arrange for the annual inspection of every work of defence.

The Engineer Officer (military or civil) charges of those works of defence should submit an annual report to the General Officer Commanding District or Independent Brigade Area regarding the structural fitness of the work generally, and a certificate regarding encroachments in the clearance zone.

7. Whenever clearance zone which it is proposed to have prescribed contain land in the occupation of civil department the Officer Commanding Station will inform the civil authority concerned of the area affected and the restrictions which will be applied. Any subsequent modification will be similarly communicated.

8. Estimates for works of defence will be prepared by the agency executing the work.

If the work is to be carried out by any agency other than the Military Engineering Service the estimates will be prepared in consultation with the Commander, Military Engineers, or such Military Engineer Officer as may be nominated by the General Officer Commanding District or Independent Brigade Area, or higher military authority.

The Commander, Military Engineers' or such Special Military Engineer Officer as may have been detailed, will be responsible for inspecting the work during construction in consultation with the agency charged with the execution, and on completion will furnish a certificate to the General Officer Commanding District or Independent Brigade Area regarding the fitness of the work, a copy of the certificate being given to the agency executing the work.

9. Should the civil authority wish to use for the accommodation of their staff or other purposes any portion of a work of defence which is maintained from military funds, the question of rent, etc., will be dealt with under the ordinary rules, and occupation will be subject to the condition of inspection at any time by the military authorities and to the right of re-occupation without notice in case of emergency.

## APPENDIX II

### Contracts and Agreements involving Liabilities on the part of the State

The following rules are laid down to regulate the powers of the Government of India and of the State Governments and Administrations to enter into or sanction contracts and agreements involving liabilities on the part of the State. They are in force by virtue of Section 130 of the Government of India Act of 1919.

#### STATUTORY RULES

The following provisions and restrictions are prescribed by the President in exercise of the power reserved to him by Statutes 22 and 23 Vict. Chap. 41, Section 1, and shall apply to all concessions, grants, leases and contracts (except such as may be made under any special legislative sanction) made or entered into by the Government of India, or by a local Government or Administration or other authority in India, to or with any person, firm, company, syndicate, municipality, or other public body who or which has applied for the same for minings or any other industrial or manufacturing purposes or for the purposes of any railway, tramway, water-works or other undertaking of a like nature, not being for ordinary agricultural or settlement purposes or for the purposes of securing the exploitation of forest produce from State forests:

I. No concession, grant, or lease of land, or mineral, or forest rights, or right of water power or to right of way or other easement or of any privilege in respect of land, mineral or forest rights, of right of water, power or of an easement and no contract involving the execution or maintenance by the Government of works, shall be made or entered into by the Government of India to, with or in favour of any person, firm, syndicate, company, municipality or other public body for any of the purposes above mentioned without the express sanction of the President of India.

If such concessions, grant, lease or contract

(a) is intended to endure for a period exceeding ten years and is not accompanied by an unconditional power of revocation or cancellation by the Government of India at any time during such period on the expiry of six months notice to the effect, and imposes on the revenues of India an annual liability in excess of fifty thousand rupees; or

(b) imposes on such revenues a charge or expenditure liability or damages in excess of twelve lakhs of rupees; or

(c) involves the cession of property or rights of which the estimated value exceeds twelve lakhs of rupees.

II. No concession, grant or lease of land of mineral or forest rights, or right to water power, or of right of way or other easement or of any privilege in respect of land, of mineral or forest rights, of right to water power, or of an easement and no contract involving the execution or maintenance by Government of works, shall be made or entered into by any State Government or Administration or other authority in India to, with or in favour of any person, firm, company, syndicate municipality or other public body for any of the purposes above mentioned without the express sanction of the Government of India

If such concession, grant, lease or contract

(a) is intended to endure for a period exceeding ten years and is not accompanied by an unconditional power of revocation or cancelment by Government of India at any time during such period on the expiry of six months' notice to that effect, and imposes on the revenues of India an annual liability in excess of fifty thousand rupees; or

(b) imposes on such revenues a charge or expenditure or liability to damages in excess of twelve lakhs of rupees; or

(c) involves the cession of property or rights of which the estimated value exceeds twelve lakhs of rupees.

III. No such concession, grant, lease or contract shall be made by any State Government or Administration or other authority in India to, with or in favour of any person, firm, company, municipality, or other public body for any of the purposes above mentioned without the express sanction of the Government of India.

If such concession, grant, lease, or contract

(a) is intended to endure for a period exceeding five years, and is not accompanied by an unconditional power of revocation by the Government at any time during such period on the expiry of six months' notice to that effect, and imposes on the revenues of India an annual liability in excess of five thousand rupees; or

(b) imposes on such revenues a charge or expenditure for liability to damages in excess of one lakh of rupees; or

(c) involves the cession of property or rights of which the estimated value exceeds one lakh of rupees.

IV. No transfer of any such concession grant, lease or contract, or of any part thereof, of any interest therein, or any under-letting, shall be recognized as valid except it be made with the express assent of—

(a) Government of India in cases falling within Rule I, or

(b) the Government of India in cases falling within Rules I or II.

(c) the State Government or Administration in any other cases. And the Government of India, as the case may be, may in his or their absolute discretion refuse such assent.

V. In every writing intended to express any concession, grant, lease or contract which fall within these rules; it shall be expressly declared that such concession, grant, lease or contract is granted or made subject to them.

VI. When the assent of the Government of India is rendered by these rules necessary to the validity of any concession, grant, lease or contract, or to the transfer thereof, it shall be signified under the hand of an Under Secretary of State; and when the assent of the Government of India is so required, it shall be signified under the hand of a Secretary of that Government.

VII. The foregoing Rules I to VI inclusive, shall not apply to any concession, grant, lease, or contract for any of the purposes mentioned in Rule 1, if made under any Special rule, issued or approved, by the Government of India.

### SUPPLEMENTARY RULES

Rule A—In cases where it is considered expedient to grant concessions or to make agreements, such as those contemplated in the Statutory Rules, the deed of concession or

the agreements, if the rights under it are transferable must be so framed that it will be beyond the power of grantees or contractees to transfer their rights' or any part of them, except with the sanction of the Government of India, or of State Government and Administration in cases coming within their cognizance.

Rule B—All such concessions and agreements will further be subject to any special provisions made by Government to meet particular cases.

Rule C—Before any agreement or concession of the class referred to is submitted for the approval of the Government of India, its terms should be considered the Law Department of the State Government and by the highest legal adviser to that Government.

Rule D—The foregoing rules shall not apply to any concession, grant, lease or contract for any purposes mentioned in the Statutory Rules, it made under any special rules or approved by the Government of India.

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### APPENDIX III

**Statement showing the different classes of Deeds, Contracts and other instruments which may be executed by the Public Works Department and the authorities empowered to execute them**

(Vide Paragraph 159 of this Code)

(G.O.Ms.No. 1632, General Administration (Services-C), Department, Dt. 24-10-1958)

**Contracts, deeds and other instruments— Persons authorized to execute on behalf of the Governor.**

In exercise of the powers conferred by clause (1) of Article 299 of the Constitution of India, and in supersessions of all the notifications in force on the subject, the Governor of Andhra Pradesh hereby directs that the undermentioned classes of deeds, contracts and other instruments shall be executed as follows:

<i>Subject</i> (1)	<i>Authority authorized</i> (2)
5. In the case of Public Works Department (subject to any such limit fixed by departmental orders)—	By the Secy. to Govt., Public Works Dept., Chief Engineers, Supdtg. Engineers, Director, Engineering Research Department, Supdt. of Works, Divisional Engineers (Highways). Divisional Officers, sub-divisional Officers in the Highways, Buildings and Irrigation Branches and Water Works.
(a) All instruments relating to the purchase, supply and conveyance or carriage of material, store, machinery, etc.	
(b) All instruments relating to the execution of works of all kinds connected with buildings including electric installations), bridges, highways, canals, tanks, reservoirs, docks, harbours and embankments and also instruments relating to the construction of the water works, sewage works, the erection of machinery and the working of coal mines.	By Chief Engineers, Superintending Engineers, Director, Engineering Research Department, Superintendent of Works, Divisional Officers and Sub-Divisional Officers in the Highways Buildings and Irrigation Branches and Water works.
(c) Bonds of auctioneers and security bonds for the due performance and completion of works.	
(d) Security bonds for the due performance of their duties by Government servants whom the officers specified have power to appoint.	
(e) Leases for grazing cattle on canal banks or road side; for fishing in a	By Chief Engineers, Supdtg. Engineers, Director, Engineering Research Dept.,

<i>Subject</i> (1)	<i>Authority authorized</i> (2)
canal, lake and reservoir for the cultivation of land under the Irrigation Department, leases of water for irrigation and other purposes and leases of water for power; and instruments relating to the sale of grass trees or other produce on road side or in plantations.	Supdt. of Works, Divisional Officers and Sub-Divisional Officers in the High-ways Buildings and Irrigation Branches and Water Works.
<b>Note</b> :—Sub-Divisional Officers are authorized to execute fishery leases and leases of grass and usufruct of trees to village panchayats upto a limit of Rs. 5 in each case and subject to the conditions that the period of the lease does not exceed one year and that the amount of the lease is not less than the average of previous three years.	
(f) Lease of houses, Land or other immovable property and grants made under the Crown Grants Act, 1895 (XV of 1895) of lands under the control of the P.W.D., and Highways Dept., provided that the rent reserved shall not exceed Rs. 5000 a month.	By the Chief Engineers, Superintending Engineers, Director, Engineering Research Department, Superintendent of Works, Divisional Officers and Sub-Divisional Officers in the High-ways. Buildings and Irrigation Branches and Water works.
(g) All instruments connected with the reconveyance of properties given as security.	Do.
(h) All instruments connected with the Collection, framing of tolls at bridges, ferries or other means of Communication provided by the State Government.	Do.
(i) Agreements for the recovery of fines on account of the drift wood or other timber passing into a canal.	By the Chief Engineers, Superintending Engineers, Director, Engineering Research Dept., Supdt. of Works, Divnl. Officers in the Irrigation Branches.
(j) Agreements relating to the loan of tools and plants to contractors and others.	Executive Engineers and Divisional Engineers, Highways. [G.O.Ms.No. 104, G.A. (Ser. C), Dt. 20-1-1960]
(k) Contracts and other instruments relating to water-supply and drainage works in the Sanitary Engineering Branch except Hyderabad and Secunderabad.	By the Sanitary Engineer to Govt.
(l) Contracts and other instruments relating to water supply and drainage works in Hyderabad & Secunderabad.	By the Executive Engineer, Hyderabad Water Works, Superintending Engineer and Chief Engineer (Buildings).
(m) All deeds and instruments relating to any matters other than those specified in heads (1) to (l).	By the Secretary to Government, Public Works Department.

<i>Subject (1)</i>	<i>Authority authorized (2)</i>
28. Contracts, deeds and other instruments connected with the administration and working of the Electricity Department.	Chief Engineer for Electricity and Addin. Chief Engineer for Electricity upto 31-3-1959 and Chief Engineer, Electricity Projects from 1-4-1959 and subject to any limits and conditions fixed by Departmental Orders by Superintending Engineers and by Executive Engineers incharge of Power Systems. [G.O.Ms.No. 1709, G.A. (Ser. C), Dt. 1-12-1959]
29. Contracts and piece-work agreements connected with the execution of electrical works.	By the Chief Engineers (General and Buildings) and Electrical Engineer (General) and subject to any limits and conditions fixed by Departmental orders by Executive Engineers and Assistant Engineers of the Electricity Departments.
65. Local Administration (Engineering Branch) (1) Contracts and other instruments for the purchase, supply, conveyance and carriage of building material, stores machinery and the like, and the provisions of labour for buildings and other works.	
(a) above Rs. 2,50,000/-	By the Chief Engineer, Local Administration and Public Health.
(b) upto Rs. 2,50,000/-	By the Sanitary Engineer, or Superintending Engineer.
(c) upto Rs. 25,000/-	By the Executive Engineer Public Health, C.I.B., District Water Works and Well Sinking Division.
(d) upto Rs. 5,000/- (Piece-work agreements on standard forms).	Divisional Engineers, Local Administration (Asst. Engineer's rank).
(e) upto Rs. 5,000/-	By the Assistant Engineers, Public Health, C.I.B., District Water Works and Well Sinking.
(2) Mortgage deeds given as security in connection with the employment of clerks, cashiers etc., who are incharge of cash transactions or custody of securities.	By the Chief Engineer, Local Administration and Public Health.
(a) Full powers in respect of officer staff.	
(b) Full powers in respect of officer staff.	By the Sanitary Engineer or Superintending.
(c) Full powers in respect of officer staff.	By the Executive Engineer, Public Health, C.I.B., District Water Works and Well Sinking Division.

<i>Subject</i> (1)	<i>Authority authorized</i> (2)
	Divisional Engineers, Local Administration (Asst. Engineer's rank).
(d) upto Rs. 5,000/- Piece-work agreements on standard forms).	By the Assistant Engineers, Public Health, C.I.B., District Water Works and Well Sinking.
(e) upto Rs. 5,000/-	By the Local Engineers (Sub-Engineers).
(3) All instruments relating to the execution of works of all kinds.	
(a) above Rs. 2,50,000/-	By the Chief Engineer, Local Administration and Public Health.
(b) upto Rs. 2,50,000/-	By the Sanitary Engineer, or Superintending Engineer.
(c) upto Rs. 25,000/-	By the Executive Engineer Public Health, C.I.B., District Water Works and Well Sinking Division.  Divisional Engineers, Local Administration (Asst. Engineer's rank).
(d) upto Rs. 5,000/- (Piece-work agreements on standard forms).	By the Assistant Engineers, Public Health, C.I.B., District Water Works and Well Sinking.
(e) upto Rs. 5,000/-	By the Local Engineers (Sub-Engineers).
(4) Security bonds for the due performance of duties of Government servants.	
(a) Full powers in respect of officer staff.	
(b) Full powers in respect of officer staff.	By the Sanitary Engineer or Superintending.
(c) Full powers in respect of officer staff.	By the Executive Engineer, Public Health, C.I.B., District Water Works and Well Sinking Division.
(d) Full powers in respect of officer staff.	By the Divisional Engineers, Local Administration (Assistant Engineer's rank).
(e) Full powers in respect of officer staff.	By the Local Engineers (Sub-Engineers).
(5) Leases for grazing cattle and of grass and usufruct of—	
(a) Full powers	By the Chief Engineer, Local Administration and Public Health.
(b) upto Rs. 5,000/-	By the Sanitary Engineer, or Superintending Engineer.

<i>Subject</i> (1)	<i>Authority authorized</i> (2)
(c) upto Rs. 1,000/-	By the Executive Engineer, Public Health, C.I.B., District Water Works and Well Sinking Division, Divisional Engineers, Local Administration (Asst.) Engineer's rank).
(6) Lease of houses, land or other movable property and their re-conveyance.	
(a) Full powers.	By the Chief Engineer, Local Administration and Public Health.
(b) upto Rs. 50,000 (value of property).	By the Sanitary Engineer or Superintending Engineer.
(c) upto Rs. 5,000 (value of property).	
(7) Bonds of auctioneers and security bonds for the due performance and completion of works.	
(a) Full powers.	By the Chief Engineer, Local Administration and Public Health.
(b) upto Rs. 2,50,000 (value of property to be auctioned and security deposited by the auctioneer).	By the Sanitary Engineer or Supdtg. Engineer.
(c) upto Rs. 25,000 (value of property to be auctioned and security deposited by the auctioneer).	By the Executive Engineer, Public Health, C.I.B. District Water Works and Well Sinking Division.
(8) Agreements relating to the loan of tools and plants to contractors and others.	By the Executive Engineer, Public Health, C.I.B., District Water Works and Well Sinking Division ; the Divisional Engineers Local Administration (Assistant Engineer's rank) ; the Local Engineers (Sub-Engineers).
(a) Full powers.	
74. Contracts of agreements in respect of supplies of coal to the Government Electricity Dept., for which tenders have been accepted by the Chief Engineer (Electricity).	Chief Engineer for Electricity and Addnl. Chief Engineer for Electricity upto 31-3-1959 and Chief Engineer, Electricity Projects and Chief Engineer, Electricity Board from 1-4-1959. [G.O.Ms.No. 1709, GA. (Ser. C), Dt. 1-12-1959]

## APPENDIX IV

### Instructions Regarding the Preparation of Indents and the Examination of the English Stores

[Deleted]

## APPENDIX V

### Instructions regarding the Testing of Stores Purchased in India

The attention of officers of the department is invited to the facilities for testing materials that are offered by the Government Test House, Calcutta.

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<p>Acids Cement, Portland Chemicals Disinfectants Ingots— Brass     Copper     Tin     Zinc Load, pig oils, greases and soaps Paints Pipes, cast iron Pipes, stoneware Pitch and bitumen Plumbage Solders Steel plates and sections (Not covered by a certificate of British Standard or other well-known specification or not being the product of a reputable steel works whose market 'grades are well-known) Steel tool (same remarks as for "steel plates and section"). Tar Turpentine Varnishes</p>	<p>The list given in the margin indicates some of the materials which are commonly sold in an adulterated condition or of an inferior quality.</p>
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It is therefore urged strongly that when officers of the department are purchasing in India any of these or similar classes of stores he should ask the firms supplying or desiring to supply the articles to support their quotations with a certificate of test from the Government Test House at Calcutta and with a guarantee that the article supplied will be reasonably in accordance with the quality certified.

Further the purchaser of such articles should satisfy himself from time to time that such is the case by sampling the supplies and submitting the samples to the test house for confirmatory test.

Inspection during manufacture of structural work undertaken on behalf of Government by the Engineering firms in Bombay and Calcutta is provided for by the Indian Stores Department and the assistance of the Chief Controller of Stores (Inspection Branch) Indian Stores Department, may be obtained in suitable cases.

## APPENDIX VI

### Rules for the occupation of Inspection Bungalows

(Vide Paragraph 286 of this Code)

#### A

#### *Rules applicable to an inspection bungalow to the use of which officers of the Public Works Department have no preferential right*

1. Each inspection bungalow is in charge of the Executive Engineer of the division, but its use is subject to the control of the Collector of the district.

2. In cases of emergency which render it imperatively necessary that accommodation should be reserved for officers of the Public Works or the Electricity Department, the Collector may, in consultation with the Superintending Engineer, Public Works Department, or the Chief Engineer for Electricity as the case may be accord a preferential right to the use of the bungalow to the officers of the Public Works and Electricity Departments as a temporary arrangement, subject to the condition that as between officers of the Public Works Department and those of the Electricity Department, the former will have the prior right. Subject to this limitation, Hon'ble Ministers of Government, all gazetted officers of Government, non-official Presidents of Panchayat Raj, Panchayat Raj Engineers, District Health Officers and the President and Commissioners of the Hindu Religious Endowments Board on tour in their official capacity shall have the right to use the bungalow; but the Collector, in concurrence with the Superintending Engineer, may forbid any such officer the use of the bungalow, if it is shown that he had used improperly. Non-gazetted officers of Government, Zilla Parishad Assistant Engineers and District Panchayat Officers may not use the bungalow unless they have special permission from the Collector. Members of the general public may use the bungalow with the previous permission of the Collector; but the Collector, after consulting the Superintending Engineer, may reserve it for the use of the Government Officers, non-official President of Zilla Parishads, Panchayat Raj Engineer, District Health Officers and the President and Commissioners of the Hindu Religious Endowments Board on tour in their official capacity either temporarily or permanently.

The Collector of a district may accord general permission for the use of the inspection bungalow in the district to members of the Legislative Council, the Legislative Assembly and Parliament and District Panchayat Officers who may apply for it before undertaking a journey through the district. The Collector of a district may also accord general permission to Tahsildars, Inspecting Tahsildars and Deputy Tahsildars for the use of specified inspection bungalows in the district in places where no other suitable accommodation is available for them.

*Note* :—Tourism members of the Federated Association in the Eastern Touring Federation and foreign tourists who possess the Tourist Introduction Cards issued by the Government of India are permitted to occupy the bungalow at any time without first obtaining the permission of the Collector concerned or of other officers in whose charge the bungalow may be, subject to the following conditions :—

- (1) that accommodation is actually available at the time;
- (2) that they pay the stipulated fee;

(3) that they do not occupy the bungalow for more than 18 hours;

(4) that they vacate the bungalow immediately without dispute if accommodation is wanted for a Government official even during the period of their occupation;

(5) that if they desire to extend the period of occupation beyond 18 hours they should obtain forthwith the sanction of the competent authority in the normal course;

(6) that when accommodation has already been previously reserved by the Collector, or under his order, the members of the Automobile Association and the foreign tourists as such, should not occupy the bungalow, on any day it is so reserved even if, when they arrive, it is unoccupied—except for the purpose of taking a meal which will not involve their remaining in the bungalow after the time when the person for whom it is reserved is expected; and

(7) that they show to the watchman of the bungalow their current Federated Associations in the Eastern Touring Federation Membership Cards, signed by the Secretary of the Association and bearing the Association seal, and Tourist Introduction Cards issued by the Government of India respectively.

3. The order of precedence for the occupation of inspection bungalows of this class will be as shown below

(1) Hon'ble Ministers,

(2) Parliamentary Secretaries to Hon'ble Ministers,

(3) Heads of Departments having jurisdiction throughout the Presidency,

(4) District Collectors and other Gazetted Officers of the Revenue Department, Deputy Inspector-General of Police, Superintending Engineers, Conservators of Forests and other Gazetted Officers of Government, who have jurisdictions over more than Revenue district,

(5) Members of the State Legislature, the Lok Sabha and the Rajya Sabha,

(6) Gazetted Officers of the rank of District Officers of other departments,

(7) Other Gazetted Officers of the Government,

(8) Non-official Chairman of Zilla Parishads, the President and Commissioner of the Hindu Religious Endowments Board,

(9) Non-Gazetted Officers of the Government, District Panchayat Officers, Assistant Commissioners of the Hindu Religious Endowments Board and the Consulting Engineer and Architect to Hindu Religious Endowments Board,

(10) Members of the general public.

A member of any of the above categories may be required to vacate after 24 hours' occupation in favour of any other member of the same category as his and after six hours' occupation in favour of any member in any category higher than his own.

In cases of civil disobedience, the District Magistrate will have discretion to vary the normal order of precedence in respect of the Gazetted Officers of the Police Department provided the Hon'ble Ministers are not affected.

**Note 1** :—The expression “General Public” occurring in the above rule includes non-gazetted officers of Indian States.

**Note 2** :—The term “Chairman of Zilla Parishad” includes a President-delegate or a Vice- President, while discharging the function of a President.

**Note 3** :—Gazetted Officers of Indian States may occupy the inspection bungalow in the district adjoining Indian States on the same conditions as the Gazetted Officers of the Government of Andhra Pradesh.

**Note 4** :—The Inspector, Military Indian Army Service Corps, the Collector of Military Accounts, Southern Command, and the Deputy and Assistant Controllers and Deputy Assistant Controllers of Military Accounts will be ranked among the Gazetted Officers of the State for purposes of these rules.

**Note 5** :—The Controller of any Army Factory Accounts, the Director, Geological Survey of India, the Gazetted Officers of their staffs will be ranked among the State Gazetted Officers while the non-Gazetted Officers of their staff will be ranked among State non-Gazetted Officers for purposes of these rules.

4. All persons occupying the bungalow will be charged fees at the following rates:

Fee payable for a single day of 24 hours	First	Second
	Class bungalow	Class bungalow
A single person	2-00	1-50
Married couple or a single person accompanied by a member of his family	4-00	3-00

**Note** :—Family includes the wife and children including an adopted son and step:children of a Government servant residing with and wholly dependent on him — vide Rule 2 of the Andhra Pradesh Traveling Allowances Rules.

(i) A fee of 0.50 paise per day in the case of a first class bungalow and 0.25 paise per day in the case of second class bungalow will be charged for every additional member of a touring officer’s family accompanying him, in excess of one but not more than four.

No fee shall be charged for the son and daughters of an officer who have not attained the age of 18.

An assistant or any other person who is not a member of the family of the officer should be charged as for a member of the family when only one set of rooms is available for occupation. if on the other hand the other set of rooms is also available for occupation at the time, such a person should be charged as an independent occupant though he does not occupy it, but occupies the same set of rooms as the officer.

(ii) For parties exceeding five in number, the fee will be five time, the fee chargeable for a similar occupation by a single person.

(iii) A day’s fee will be charged for an occupation of 12-24 hours duration and half a day’s fee will be charged for a period less than 12 hours.

**Note** :—This rule will apply in all cases whether the total period of occupation is less than 24 hours or more than 24 hours.

(iv) Payment of full fees for the occupation of a bungalow gives the right to pitch tents in the compound without extra charge. When the bungalow is not occupied, half the

ordinary fee should be paid for the privilege of pitching tents. An officer occupying a bungalow has prior claim to the use of the out-houses and stables attached to the bungalows. Subject to this condition, they are available without further charge for the use of officers occupying tents in the compound. A charge of 0.25 Naye Paise a day will be fixed for the use of the stables, coach-house, motor shed or such out-houses only.

(v) In cases where an officer sends his saman in advance with the object of occupying a bungalow or of pitching tents in the compound, or vacates the bungalow before his camp equipment is moved, rent will be charged for the days the officer actually stays; provided that the saman is stored for not more than 24 hours before the arrival or after the departure of the officer. Rent at half rate will be levied for periods in excess of this limit.

(vi) If a bungalow which is temporarily reserved for a specific period for an officer with reference to the penultimate sentence of Rule 2 above, is occupied by him from the first day of reservation rent should be recovered from him only for the actual period of his occupation, provided his departure is promptly notified to the nearest Public Works Department official and the notice of reservation hung up in the bungalow is removed immediately after it is vacated. If the bungalow is not occupied by the officer from the first day of reservation and the reservation is not cancelled before the date, rent should be recovered from him for any days covered by the reservation until the bungalow is occupied or until the reservation is cancelled, whichever is earlier.

Touring officers should give specific intimation to their subordinates in District or to Collectors or Revenue subordinates whether inspection bungalows should be got reserved for them with reference to the penultimate sentence of Rule 2 above. If, under their instruction, bungalows are so reserved but are not occupied, rent should be recovered for the period of reservation, even if there were no applications from others for occupation during the period. But Collectors of districts are allowed to use their discretion and waive the recovery of rent in exceptional cases, due regard being given in the interest of Government.

(vii) In the case of inspection bungalows which have electric installations, enhanced fees shall be paid as specified in the supplemental rules which will be issued by the Executive Engineer of the Division concerned after obtaining the approval of Government to the enhance fees. A copy of the supplemental rules shall be hung in the bungalows by the side of the printed rules already exhibited therein.

Such additional fees should be charged whether electric energy is used or not, so long as the electric installation is in working orders. But when the electric installation is not in working order or under repairs or renewal, the occupant should not be charged either for the electric installation or for the electric energy. The additional fees for electric installation should not also be charged, if only tents are pitched in the compound of the inspection bungalow.

**Note** —Parties of persons will be permitted to occupy the bungalows can be made wholly available for their use but not when only one set of rooms therein is available. The previous permission of the Collector should be obtained in all such cases.

5. The Collector is authorized to charge higher fees, whether temporarily, for special reasons.

6. A book shall be kept at the bungalow in which all persons stopping there shall be required to enter their names, time of arrival and due and departure and the fees paid.

A person occupying the bungalow should enter under the column headed 'name' his own name and below that state the particular member or members of his family, if any, that has accompanied him specifying merely the relationship.

7. All persons occupying the bungalow shall be responsible for any damage they or their servants or followers may cause to the buildings or to the fittings.

8. All officers subordinates and members of the general public occupying a bungalow are required to pay without fail the rent due before they vacate the bungalow. Any case of failure on their part in this respect will be brought to the notice of the Executive Engineer and, if, necessary, to that of the Collector.

9. Occupation of a bungalow by an officer or married couple or a single person accompanied by a member of his family shall only give exclusive right of occupation of one set of rooms.

10. Whenever the bungalow is occupied, the occupants should ask the watcher to produce the sweeper for doing scavenging service and pay the sweeper at the rates fixed by the Public Works Department in accordance with the local scavenging wages. The fact of having paid the scavenger's wages should be entered in a column in the inspection bungalow book by the occupants before they vacate.

On the days on which more than one set of rooms in the bungalow are occupied, the sweeper's daily wages should be paid in equal shares by the occupants.

**Note 1** :—This rule is applicable only to inspection bungalows within municipalities which do not levy scavenging tax and also to those within Panchayat Board limits.

**Note 2** :—The Executive Engineer of the division concerned should enter at the foot of the copy of the rules, hung in the bungalow, the rate of daily wages that should be paid to the sweeper in accordance with the local scavenging wages.

11. Any laxity on the part of the inspection bungalow watcher should be noted in the book that is maintained in the bungalows.

12. A copy of the rules is to be hung in each bungalow, stating the class of the bungalow and whether it is available for use by the general public.

## **B**

### ***Rules applicable to an inspection bungalow to the use of which officers of the Public Works Department have a preferential right***

1. Each inspection bungalow of the class is in charge of Executive Engineer of the Division, but its use is subject to the control of the Collector of the District.

2. "Ministers of Government have a preferential right to the use of the Bungalow, Officers of the Public Works and Electricity Departments, R & B, have the next preferential right in respect of the Inspection Bungalows in non-Municipal areas, subject to the condition that as between officer of Public Works Department and those of the Electricity Department, R&B, the former will have the prior right". Officers of other departments of Government, non-official Presidents of Districts Boards, District Board Engineers, District Health Officers, the President and Commissioners of the Hindu Religious Endowments Board, Zilla Parishad Assistant Engineers and District Panchayat Officers or tour in their official capacity and members of the general public may occupy the bungalow on the understanding that they should vacate it at once if required by an Hon'ble Minister of Government or an Officer

of the Public Works Department or the Electricity Department, Non-Gazetted officers other than those of the Public Works Department and the Electricity Department, Zilla Parishad Assistant Engineers, District Panchayat Officers and members of the general public should obtain special permission from the Collector for using the bungalow. The Collector of a district may also accord general permission to Tahsildars, Inspecting Tahsildars and Deputy Tahsildars, for the use of specified inspection bungalows in the district in places where no other suitable accommodation is available for them. The Collector of a district may also accord general permission for the use of the inspection bungalows in the district to members of the Legislative Council, the Legislative Assembly and the Council of State and District Panchayat Officers who may apply for it before undertaking a journey through the district. The Executive Engineer concerned may reserve any such bungalow for the use of Government officers of departments other than the Public Works and Electricity Departments on tour in their official capacity, subject to the clear understanding that they should vacate it immediately if required for the use of officers of the Public Works Department and the Electricity Department.

*Note* :—Touring members of the Federated Association in the Eastern Touring Federation and Foreign tourists who possess the Tourist Introduction Cards issued by the Government of India are permitted to occupy the bungalow at any time without first obtaining the permission of the Collector concerned or of other officers in whose charge the bungalow may be, subject to the following conditions:

- (1) the accommodation is actually available at the time;
- (2) that they pay the stipulated fee;
- (3) that they do not occupy the bungalow for more than 18 hours;
- (4) that they vacate the bungalow immediately without dispute, if accommodation is wanted for a Government official even during the period of their occupation;
- (5) that if they desire to extend the period of occupation beyond 18 hours, they should obtain forthwith the sanction of the competent authority in the normal course;
- (6) that when accommodation has already been previously reserved by the Executive Engineer, the members of the Automobile Association the foreign tourist as such, should not occupy the inspection bungalow, on any day it is so reserved even if, when they arrive, it is unoccupied except for the purpose of taking a meal which will not involve their remaining in the bungalow after the time when the person for whom it is reserved is expected; and
- (7) that they show to the watchman of the bungalow their current Federated Association in the Eastern Touring Federation Membership Cards signed by the Secretary of the Association and bearing the Association seal, and Tourist Introduction Cards issued by the Government of India respectively.

3. All persons occupying the bungalow will be charged fees at the following rates:

<b>Fees payable for a Single day of 24 Hours</b>	First	Second
	Class bungalow	Class bungalow
A single person	2-00	1-50
Married couple	4-00	3-00

**Note** :—Family includes the wife and children including an adopted son and a step-children of a Government servant residing with and wholly dependent on him — Vide Rule 2 of the Andhra Pradesh Traveling Allowance Rules.

(i) A fee of 0.50 paise per day in the case of a first class bungalow and 0.25 paise per day in case of a second class bungalow, will be charged for every additional member of a touring officer's family accompanying him, in excess of one but not more than four.

No fees shall be charged for the sons and daughters of an officer who have not attained the age of 18.

An assistant of any other person who is not member of the family of the officer, should be charged as for the members of the family when only one set of room is available for occupation. If on the other hand the other set of rooms is also available for occupation at the time, such a person should be charged as an independent occupant though he does not occupy it, but occupies the same set of rooms as the officer.

(ii) For parties exceeding five in number the fee will be five times the fee chargeable for similar occupation by a single person.

**Note** :—Parties of persons will be permitted to occupy the bungalows only when the bungalows can be made wholly available for their use but not when only one set of rooms therein is available. The previous permission of the Collector should be obtained in all such cases.

(iii) A day's fee will be charged for an occupation of 12-24 hours duration and half a day's fee will be charged for a period less than 12 hours.

**Note** :—This rule will apply in all cases whether the total period of occupation is less than 24 hours or more than 24 hours.

(iv) Payment of full fees for the occupation of a bungalow gives the right to pitch tents in the compound without extra charge. When the bungalow is not occupied, half the ordinary fee should be paid for the privilege of pitching tent. An officer occupying a bungalow has prior claim to the use of out-houses and stables attached to the bungalow. Subject to this condition, they are available without further charge for the use of officers occupying tents in the compound. A charge of 0-25 paise per day will be fined for the use of the stables, coach house, motor-shed or such out-houses only.

(v) In cases where an officer sends his saman in advance with the object of occupying the bungalow or of pitching tents in the compound, or vacates the bungalow before his camp equipment is moved, rent will be charged for the days the officer actually stays, provided that the saman is stored for not more than 24 hours before the arrival or after the departure of the officer. Rent at half rates will be levied for period in excess of this limit.

(vi) In the case of inspection bungalow which have electric installations, enhanced fees shall be paid as specified in the supplemental rules which will be issued by the Executive Engineer of the Division concerned after obtaining the approval of Government to enhanced fees. A copy of the supplemental rules shall be hung in the bungalows by the side of the printed rules already exhibited therein.

Such additional fees should be charged whether electric energy is used or not so long as the electric installation is in working order. But when the electric installation is not working order or under repairs or renewal, the occupant should not be charged either for the electric installation or for the electric energy. The additional fees for electric installation

should not also be charged, if only tents are pitched in the compound of the inspection bungalow.

(vii) If a bungalow which is reserved for a specific period for an officer reference to the last sentence of Rule 2 above is occupied by him from the first day of reservation but is vacated before the expiry of the full period of reservation, rent should be recovered from him only for the actual period of his occupation, provided his departure is promptly notified to the nearest Public Works Department official and the notice of reservation hung up in the bungalow is removed immediately after it is vacated. If the bungalow is not occupied by the officer on the first day of reservation and the reservation is not cancelled before that date, rent should be recovered from him for the days covered by the reservation until the date he occupies it or until the reservation is cancelled whichever is earlier.

4. The Collector of the district is authorized to charge higher fees, whether temporarily or permanently, for special reasons after consulting the Superintending Engineer.

5. Subject to the preferential rights of the Hon'ble Ministers of Government and the officers of the Public Works and the Electricity Departments, the order of precedence for occupation of these bungalows will be shown below

(1) Gazetted Officers of other Departments of Government.

(2) Members of the State Legislative, of the Assembly and Council and the Council of State.

(3) Non-official Presidents of Zilla Parishads and the President and the Commissioners of the Hindu Religious Endowments Board.

(4) Non-gazetted officers of other Departments of Government and Consulting Engineer and Architect to the Hindu Religious Endowments Board, A.P.

(5) Zilla Parishads Assistant Engineers, District Panchayat Officers, members of the general public and Consulting Engineer and Architect to the Religious Endowments Board, Hyderabad.

A member of any of the above categories may be required to vacate after 24 hours' occupation in favour of any other member of the same category as his and after six hours' occupation in favour of any member in any category higher than his own.

**Note 1** :—The expression 'general public' occurring in the above rule includes non-Gazetted Officers of Indian States.

**Note 2** :—The term 'President of Zilla Parishad' includes a President-delegate or a Vice-President, while discharging the functions of a President.

**Note 3** :—Gazetted Officers of Indian States may occupy the inspection bungalows in the district adjoining Indian States on the same conditions as the Gazetted Officers of the Government of Andhra Pradesh other than the officers of the Public Works and Electricity Departments.

**Note 4** :—The Inspector, Military Indian Army Service Corps, the Controller of Military Accounts, Southern Command and the Deputy and Assistant Controllers and Deputy Assistant Controllers of Military Accounts, will be ranked among the Gazetted Officers of the State for purposes of these rules.

**Note 5** :—The Controller of Army Factory Accounts, the Director, Geological Survey of India, and the Gazetted Officers of the staffs will be ranked among the State Gazetted Officers while

the non-Gazetted Officers of their staffs will be ranked among State non-Gazetted Officers for purpose of these rules.

**Note 6** :—As a reciprocal arrangement, the officers of the Irrigation Branch of the Punjab Government, visiting of the A.P. State on duty, may use these bungalows free of rent, with the previous approval of the Chief Engineer (Irrigation).

6. A book shall be kept at the bungalow in which all persons stopping there shall be required to enter their names, time of arrival and departure and the fees due and paid. A person occupying the bungalow should enter under the column headed 'name' his own name and below that state the particular member or members of his family, if any, that has accompanied him specifying merely relationship.

7. All persons occupying the bungalow shall be responsible for any damage they or other servants or followers may cause to the buildings or fittings.

8. All officers, subordinates and members of the general public occupying a bungalow are required to pay without fail the rent due before they vacate the bungalow. Any case of failure on their part in this respect will be brought to the notice of the Executive Engineer and, if necessary, to that of the Collector.

9. Occupation of a bungalow by an officer or married couple shall only give exclusive right of occupation of one set of rooms.

10. Whenever the bungalow is occupied, the occupants should ask the watcher to produce the sweeper for doing scavenging service and pay the sweeper at the rates fixed by the Public Works Department in accordance with the local scavenging wages. The fact of having paid the scavenger's wages should be entered in column in the inspection bungalow book by the occupants before they vacate.

On the days on which more than one set of rooms in the bungalow are occupied, the sweeper's daily wages should be paid in equal shares by the occupants.

**Note 1** :—This rule is applicable only to inspection bungalows within municipalities which do not levy scavenging tax and also to those with Panchayat Board limits.

**Note 2** :—The Executive Engineer of the division concerned should enter at the foot of the copy of the rules, hung in the bungalow, the rate of daily wages that should be paid to the sweeper in accordance with the local scavenging wages.

11. Any laxity on the part of the inspection bungalow watcher should be noted in the book that is maintained in the bungalow.

12. A copy of the rules is to be hung in each bungalow, stating the class of the bungalow and whether it is available for use by the general public.

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## APPENDIX VII

### Agreement for Hiring Government Tools and Plant

(Vide Paragraph 340(4) of this Code)

AN AGREEMENT MADE the ..... day of ..... 198 ..... BETWEEN HIS EXCELLENCY THE GOVERNOR OF ANDHRA PRADESH (hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of one part and... (here after called the Hirer which expression shall where the context so admits include his heirs, successors, administrators, legal representatives and assign) of the other part.

WHEREAS the hirer has applied to the Government of A.P. (hereinafter called the Government) for the hire of the tools and plant described in the schedule hereto for use on (here enter the work "Government Works" or "non-Government Works" or "Work of the Municipality" or "Work of the Zilla Parishad", as the case may be) (and has deposited with the Government the sum of Rs..... as security for due performance and observance of the terms, conditions and stipulations herein contained).

NOW IT IS HEREBY AGREED as follows:

1. The Government shall let to the hirer and the hirer shall take and hire from the Government from the date hereof the tools and plant which are specified in the schedule hereto and which are hereinafter called the said tools and plant for the period months ..... from this day ..... (days or not exceeding one calendar month)

2. The Hirer shall pay in cash to the Government an advance on the ..... day of each month (the 1st of such ..... payments to be in arrears on the day of each month (the last of such payments to be made)

Payment to be ..... made on the day following the last day of the hiring).

As rent for the hire of the said tools and plant at the rate of Rs ..... for each complete month and at the rate of Rs ..... per diem for a fraction of a month subject to the maximum of the monthly rent, during continuance of the hiring which will be from the time the said tools and plant leave stores at ..... till they are returned to the said stores.

If after the said tools and plant has been taken charge of by the hirer any alterations or improvements are made at the cost of the Government the Hirer shall pay such enhanced monthly/daily rent as may be fixed by the Executive Engineer of the division concerned or the General Superintendent, Public Works Workshops and Stores, A.P., under the rules with reference to the enhanced value of the said tools and plant.

**Note** :—If the hire is for a period less than one month, then for the portion of the above clause relating to the day of payment, the following should be entered:

In advance on ..... day of ..... 197 .....

In arrears on ..... day following the last day of hiring.

3. The Hirer shall not use the said tools and plant on any non-Government works.

**Note** :—Strike out this clause if the tools and plant are issued on hire to Municipalities and Zilla Parishads, Panchayat Sainithis, Panchayats for use on works of those bodies or to contractors specify for use on non-Government works.

4. The Hirer shall keep the said tools and plant in good order and condition and make good all damage (fair wear and tear being excepted) whether by accident or fire or otherwise, and shall at the determination of the period of hiring pay to the Government the cost of replacing or repairing such of the said tools and plant or parts thereof as may be broken missing or specially damaged or lost during the continuance of the hiring as explained in clause 2, supra. The cost of repairing damages will be that actually incurred for the purpose by the Workshops at.... including the usual indirect and centage charge, while the cost of replacement will be either the original book value of the current market value, whichever is higher.

It shall be lawful for the Government to reimburse the cost of replacing or repairing as aforesaid from and out of the said deposit and the balance thereof shall be returnable to the Hirer on the due fulfilment of the terms of this agreement.

5. All repairs due to fair wear and tear during the [first two years of] the period of hire shall be borne by the Government [and thereafter by the Hirer]. The decision of the Executive Engineer of the division concerned or the General Superintendent, Public Works Workshops and Stores, A.P., for the time being shall be final as to what repairs should be borne by the Government.

[Strike out the word in brackets in cases where the period of hire is two years or less]

6. The Hirer shall bear all charges connected with packing, handling in the stores, conveyance and other incidental expenses in connection with the despatch of the said tools and plant from the stores and return thereto including freight charges, if any, and also erecting and dismantling charges.

If during the period of hire it is found necessary to send the said tools and plant to the Public Works Workshops for repairs, all conveyance and incidental charges to and fro shall be borne by the Hirer.

7. It shall be lawful for officers authorized by the Government at all reasonable times view the state and conditions of the said tools and plant.

8. Officers authorized by the Government may, at any time, by giving seven days' notice in writing to the Hirer, determine this agreement and may on the expiration of the said notice enter upon the premises where the said tools and plant or any of them may then be and remove and carry away the same and the Hirer shall not claim compensation for such action [except the refund of the proportionate rent for the unexpired portion of the period for which rent has already been recovered in advance].

[Strike out the words in brackets, if the hire is paid in arrears]

9. Upon breach by the hirer of any of the stipulations in this agreement, the Government' shall be at liberty without any previous notice to determine this agreement and take possession of the said tools and plant.

10. Upon the determination of this agreement, whether by efflux of time or otherwise, officers authorized by the Government shall be at liberty to enter any house, premises or place where the said tools and plant may have been lodged, remove and carry away the said tools and plant and for that purpose to do all things reasonably necessary for such removal without liability for and damage thereby caused and without prejudice to the rights of the Government in respect of any rent or sums of money accrued or accruing due from the Hirer under this agreement:

Provided that in addition and without prejudice to the other rights and remedies of the Governor, the Government shall be entitled to recover any sums that may from time to time be due and payable by the hirer as if it were an arrear of land revenue.

IN WITNESS whereof acting on behalf of and by the order and direction of His Excellency the Governor of A.P., and the ..... Hirer have hereunto set their hands and seals the day and year first above written.

### SCHEDULE

#### Description of tools and plant hired

Singed, sealed and delivered by the named ..... in the presence of ..... signed, sealed and delivered by the above named in the presence of .....

*Note* :—When tools and plants are hired out to Zilla Parishads, Panchayat Samithis, Panchayats and to contractors carrying out Government work, the portion enclosed within brackets in the preamble to the agreement and also last sub-paragraph of clause 4 of the agreement should be omitted.

### APPENDIX VIII-A

#### Agreement for Deposit Works (Irrigation)

(Vide Paragraph 207(6) of this Code)

I/We ..... of ..... agree to pay into Treasury to the credit of the Executive Engineer, Division, within such period as may be ..... me/us at my/our last known place of abode by the said Executive Engineer the sum of Rs.\* ..... which together with the preliminary deposits of ..... Rs ..... paid by me/us will amount to Rs ..... being the estimated cost of construction/one part of the estimated cost of the construction ..... of a ..... located at ..... and to further pay such amount/proportionate contribution in excess of the said Rs.\*\* ..... as the work after construction may be found to have cost, provided that if the work actually cost less than the said Rs.\* ..... The Savings/A proportion share of the savings on the estimate shall be refunded to us/me. [\*Here enter the actual amount paid, i.e., amount equal to the amount of the estimate minus Rs ..... (Preliminary deposits) \*\*Here enter the amount of estimate]

I/We further agree to the following conditions:

(1) that the execution of the work shall be carried out by the Public Works Department;

(2) that the work on completion becomes the absolute property of the Government of Andhra Pradesh

(3) that the Government do not guarantee to defray the cost of upkeep of the work from public funds and that it is open to Government to remove the work at any time;

(4) that in the event of failure by me/us to further amount—proportionate contribution, in excess of the said Rs as the work after completion may be found to have cost, the amount proportionate contribution so payable may be recovered by the Government as arrears of land revenue.

**APPENDIX VIII-B**  
**Agreement for Deposit Works (Irrigation)**

**(Vide Paragraph 207(8) of this Code)**

I/We ..... of ..... village in the taluk of the ..... of the ..... district having paid the sum of Rs. 30 (Rupees thirty only) ..... into the ..... Treasury to the credit of the Executive Engineer ..... Division, as a deposit for the preparation of plans and estimates for the work of ..... to be executed at my/our partly at my/our cost do hereby agree as follows:

(1) that, after the preparation of the plans and estimates for the above ..... I/We shall, within a fortnight of notice to do so, from the Sub-divisional Officer, Subdivision, enter into an agreement in the authorized form and abide by the terms of the same;

(2) the failing to comply with the above condition or with the terms of the Agreement to be entered into will entail forfeiture of the said deposit of Rs. 30 (Rupees thirty only) unless the work is dropped owing to the objections of third parties.

(Signature)

—  
**APPENDIX IX**

Deleted

**APPENDIX X**

**Sale Notice for Lease of Grass and Usufruct of Trees, etc.**

Notice is hereby given that the right of ..... in the sources described in the annexed schedule for a period of ..... from ..... will be sold in public auction by the at on the day of ..... at ..... O'clock subject to the conditions hereinafter set forth :

**Conditions of sale:**

1. Any person or body intending to bid must deposit a sum of Rs as earnest money with the selling officer on or before the date of sale. Such of the person as have not complied with this condition will not be permitted to bid at the auction.

2. No one will be allowed to bid for another person unless he holds a power- of-attorney from him and produces the same for the inspection of the selling officer when demanded by him.

3. The sale will ordinarily be knocked down to the highest bidder, but the right is reserved to the officer conducting the sale to reject any bid without assigning any reason therefor.

4. The earnest money deposited by unsuccessful bidders will be returned to them at the close of the sale and that of the successful bidder will be treated in the manner laid down in clause 9 below.

5. The sale will not be considered as completed unless it is confirmed by the who reserves the right to refuse to confirm the sale without assigning any reasons therefor.

6. The successful bidder will not be permitted to do any act under the lease until the sale is confirmed by the and until conditions 7 and 8 below are fulfilled.

7. Immediately after a bid is accepted by the Officer conducting the sale, the successful bidder shall deposit on the spot a sum equal to—

(i) 25 percent of the lease amount for one year, if the lease is for a period of more than one year and for a sum exceeding Rs. 100 on the whole, or

(ii) 25 per cent of the total lease amount, if the lease is for one year or less or for a sum not exceeding Rs. 100.

8. (a) In the first case referred to in clause 7, the above successful bidder shall within one week of the date of receipt of the order of confirmation by the competent authority, execute at his own cost an agreement (duly stamped) in annexed Form No. 1. Such successful bidder shall also pay the balance of 75 per cent of the lease amount and the first year within one week of his signing the agreement and the amount due for each of the succeeding years of the lease within the first week of each year.

(b) In the second case, the successful bidder shall pay the balance of 75 per cent of the total lease amount within week of the date of receipt of the order of confirmation by the competent authority. The successful bidder need not, however, execute an agreement as in the first case but the enjoyment of the lease shall be on the terms laid down in the form of agreement applicable to the first case:

Provided, however, that, if the successful bidder is a village panchayat such panchayat shall in all cases and irrespective of the duration of or the rent payable under the lease and within the time limited in sub-clause (a) above execute an agreement (duly stamped) in Form No. 1 annexed hereto with such modifications as may be necessary. Such panchayat shall also within such period execute a supplemental agreement in Form No. 2 annexed hereto. The balance of the lease amount due by the panchayat shall be paid within the period provided in sub-clause (a) or (b) as the case may be.

9. If the lease is for a sum exceeding Rs. 100, the successful bidder all also deposit as security of the due fulfilment of the conditions of the lease a sum equal to 5 per cent of the total lease amount of rate entire period of the lease. The earnest money paid by the successful bidder at the time of the sale will be retained and credited towards this security deposit. If the earnest money is more than the required security deposit the excess will be refunded to the successful bidder, after conditions 7 and 8 have been fulfilled. If, on the other hand, the earnest money is less than the required security deposit, the difference shall be paid by him before his signing the agreement. The security deposit will be refunded to him on the expiry of the full period of the lease if the conditions of the lease have been duly fulfilled:

Provided however, that, if the successful bidder is a village panchayat, no security deposit shall be demand from or paid by such panchayat. The earnest money paid by such panchayat under the provisions of clause I above shall be returned to the panchayat after conditions 7 and 8 have been fulfilled.

10. In the event of failure on the part of the successful bidder to comply with conditions 7, 8 and 9 above or any of them, the sale shall stand cancelled and resale held

and the earnest money and other amounts, if any, already paid will be forfeited. It shall not be incumbent upon the selling officer to give notice of such cancellation or resale to the defaulting bidder. Resales under this condition will be at the risk of the defaulting bidder who will have no claim to the profit, if any, on account of such resale and who, in the event of loss, will be required to make good the difference between the total amount payable by him for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the resale. In the latter case, the forfeited amounts will be deducted from the amount of loss arising from the resale and the balance, if any, with interest at 12 per cent per annum will be recoverable from him as arrears of revenue under the provisions of the Revenue Recovery Act.

11. The conditions mentioned above are intended solely for the benefit of the Government of Andhra Pradesh, with a view to safeguard their interests and so any omission on the part of the officers acting on behalf of the Government to enforce them strictly and indulgence or concession that may be granted to the licensee with or without notice shall not affect the rights of the Government to enforce them (the conditions) against the license and shall not afford the licensee a right to plead such omission, indulgence or concession as a bar to any action that may be brought by the Government in respect thereof.

#### **Agreement Form for Lease of Grass on Government Lands other than Compounds of Government Buildings**

This Indenture made the ..... day of One thousand nine hundred and ..... Between his Excellency the Governor of Andhra Pradesh (hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of the one part and\* ..... son of ..... residing at the village of ..... taluk of ..... in the district of ..... (hereinafter called the licensee which expression shall where the context so admits include his heirs executors and legal representatives) of the other part.

\* If the licensee is a village panchayat, the second party to the indenture should be mentioned as "the Village Panchayat of ..... village in the taluk of ..... in the district of ..... (here in after called the licensee, which expression where the context so admits shall include its successors and assigns) of the other part.

Whereas the ownership of the lands situated in Survey No ..... in the village of ..... in the registration district of ..... and registration sub-district of more particularly described in the schedule thereto vests in Andhra Pradesh State, Government of Andhra Pradesh and Whereas the Governor has agreed to grant a licence and the licensee has agreed to accept the licence hereinafter described on the terms and conditions hereinafter contained \*(And Whereas the licensee has paid the sum of Rs ..... as and for security for the fulfilment and observance by him of the conditions covenants and stipulations contained in these presents).

Now this Indenture Witnesseth as follows:

1. In pursuance of the said agreement and in consideration of the covenants and agreements on the part of the licensee hereinafter contained the Governor both grant unto the licensee the sale and exclusive right to cut all the grass now growing or that many hereafter during the period of this licence grow on all that parcel of land more particularly described in the schedule hereto and delineated and marked on the map or plan hereto annexed and coloured thereon for the term of ..... years from the day of 198 yielding and paying there for yearly the sum of Rs. ....

**II. The Licensee hereby agrees with the Governor:**

(1) to pay to the Government of A.P. (hereinafter called the Government) the sum of Rs ..... the balance due in respect of the first yearly payment on or before the day of ..... 198 .....

(2) to pay the subsequent yearly payments on or before the ..... day of ..... in each year. Provided however that if the Licensee shall fail to pay to the Government the rent and other amounts (if any) payable under these presents on the respective dates on which they are made payable hereunder the licensee shall pay interest at 12 per cent per annum such amounts from the dates on which they were so payable up till the date of payment or recovery;

(3) to permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said lands the subject-matter of this licence and remove therefrom all such quantity of grass as may be required for use by any officer of the Public Works Department or dig and remove therefrom any earth soil and the Licensee shall not be entitled to any compensation in respect of the grass or soil so removed;

(4) to use said lands only for the purposes aforesaid and not for any other purpose;

(5) to permit the officers and servants of the Government with or without workmen or others at all times to enter upon the lands aforesaid to view the condition and state thereof;

[(6) not to assign or underlet the benefits arising under this licence or any part thereof without first obtaining the written consent of];  
[Should be omitted (the subsequent clauses being re-numbered) if the licensee is a village panchayat]

(7) not to allow cattle to graze on the said lands or dig up or allow to be dug up any grass by its roots;

(8) not to obstruct people or cattle from passing along the usual paths on the said lands or any annoyance to same;

(9) not to claim any refund of the money paid under these presents on account of earth being thrown on the banks or berms of pits dug and of materials stacked on the said lands;

(10) to deliver up to the Government at the expiration or sooner determination of the said term of this licence the premises the subject-matter of this licence in all respects in such state and condition as shall be consistent with the due performance of the several covenants herein contained.

**III. The Governor covenants with the Licensee as follows:**

(1) to permit the licensee on his observing and performing the several covenants and stipulations on his part contained to peaceably and quietly hold and enjoy the licence hereby granted during the term hereby created without any lawful interruption from the Government or any person rightfully claiming under or in trust for them;

[(2) to return to the licensee the sum of Rs ..... deposited by the licensee of hereinbefore mentioned or such portion thereof as may be returnable to him on the expiration or sooner determination of the term hereby created].

[Should be omitted if the licensee is a Village Panchayat]

**IV. It is hereby expressly agreed and declared**

(a) that should the licensee fail to pay the annual rent or be guilty of a breach or non-observance of the covenants conditions and stipulations on his part to be observed and performed then and in any such case the Executive Engineer ..... Division, may at any time thereafter in addition to and without prejudice to his other rights and remedies determine this agreement by notice in writing addressed to the licensee and shall be at liberty to sell by public auction or private sale the rights of the licensee under this agreement and be entitled to and retain the whole amount for which the said rights shall be sold. Should, however, the same be less than the amounts payable by the licensee under terms of this agreement for the whole term thereof the Government shall be entitled (to make good the difference from the deposit made by the licensee and to recover any balance that there may be still remaining due from the licensee);

(b) that the annual rent and other amounts payable under this agreement may be recovered by the Government as arrears of Government revenue under the Revenue Recovery Act;

(c) that in the event of the failure by the licensee to fulfil any of the terms of this agreement he shall **\*\***(forfeit the deposit made by him as security and will also) pay the Government any damages occasioned to the Government by reason of any breach of the covenants and conditions herein contained;

**\*\***[If the licensee is a village panchayat, then, for the words within brackets in clause (a) of Paragraph 4, the words “to recover the difference from the licensee” should be substituted; and the words within brackets in clause(c) of the same paragraph should be omitted].

(d) the officers and servants of the Government and any lessee from the Governor or person employed or authorized by such lessee shall have liberty and power to enter into and upon the said lands the subject-matter of the licence and to do such acts and things thereon as the Government on their duly authorized officers may think fit or authorize by without-prejudice to the rights of the licensee under these presents and the licensee shall not claim or be entitled to any compensation or abatement of the rent payable hereunder in respect thereof unless the Superintending Engineer ..... Circle, considers that the same is payable

(e) that any dispute or difference shall at any time hereafter arise between the Government or their officers on the one part and the licensee as to the rights, duties or liabilities of either party in respect of any matter or thing relating to or arising out of these presents or the construction or the meaning of all or any of the provisions herein contained the said dispute or difference shall be referred for settlement to the arbitration of ..... and his decision thereon shall be final.

IN WITNESS WHEREOF ..... acting on behalf of and by the order and direction of His Excellency the Governor of A.P., and the licensee have hereunto set their hands and seals the day and year first written.

The Schedule above referred to ..... SIGNED, sealed and delivered by the ..... in the ..... above named ..... presence of.....

SIGNED, sealed and delivered by  
the above named .....  
in the ..... presence of .....

### Agreement Form for Lease of Grass in the Compounds of Buildings

This Indenture made the ..... day of ..... one thousand and ..... nine hundred and ..... BETWEEN HIS Excellency the Governor of A.P. (hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of the one part and ..... son of ..... residing at ..... the village of ..... taluk of ..... to the district of ..... (hereinafter called the licensee which expression shall where the context so admits include his heirs, executors, administrators and legal representatives) of the other part.

WHEREAS the ownership of the lands situated in Survey No ..... in the village of ..... in the Registration District of ..... and Registration sub-district of ..... more particularly described in the schedule hereto vests in Government of the A.P., and whereas the Governor has agreed to grant a licence and the Licensee has agreed to accept the license hereinafter described on the terms and \*conditions hereinafter contained AND WHEREAS the licensee has paid the sum of Rs ..... and for security for the fulfilment and observance by aim of the conditions covenants and stipulations contained in these presents).

\*[The recital clause within brackets should be omitted if the licensee is a village panchayat]

NOW THIS INDENTURE WITNESSETH as follows:

**I.** In pursuance of the said agreement and in consideration of the covenants and agreements on the part of the Licensee hereinafter contained the Governor doth hereby grant unto the Licensee the sole and exclusive right to cut all the grass not growing or that may hereafter during the period of this licence grow on all that piece or parcel of land more particularly described in the schedule hereto and delineated and marked on the map or plan hereto annexed and coloured ..... thereon for the term of ..... years from the ..... day of ..... 198 ..... yielding and paying there for yearly a sum of Rs .....

**II.** The licensee hereby agrees with the Governor

(1) To pay to the Government of A.P. (hereinafter called the Government) the sum of Rs ..... the balance due in respect of the first yearly payment on or before the .....day of ..... 198 .....

(2) To pay the subsequent yearly payment on or before the ..... day of ..... in each year. Provided however that if the licensee shall fail to pay to the Government the rent and other amounts (if any) payable under these presents on the respective dates on which they are made payable hereunder the Licensee shall pay interest at 12 per cent per annum on such amount from the dates on which they were so payable up till the date of payment of recovery

(3) To permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said lands the subject matter of this licence and to cut and remove there from all such quantity of grass that ..... may be required for use by any officer of the Public Works Department or dig and remove therefrom any earth or soil and the licensee shall not be entitled to any compensation in respect of the grass or soil so removed.

(4) The use of the said lands only for the purpose aforesaid and not for any other purpose.

(5) To permit the officers and servants of the Government with or without workmen or others at all times to enter upon the lands aforesaid to view the condition and state thereof.

(6) To remove grass by moving only and only between the hours of 7 a.m. and 5 p.m. on each day.

(7) Not to remove grass from the garden area or use spaders for scrapping the grass.

(8) Not to allow cattle to graze in the compounds.

(9) Not to assign or underlet the benefits arising under this licence or any part thereof without first obtaining the written consent of.

\*[Clause (9) in paragraph II should be omitted (the subsequent clauses being re-numbered) if the Licensee is a village panachayat]

(10) Not to allow cattle to graze on the said lands or dig up or allow to be dug up any grass by its roots.

(11) Not to obstruct people or cattle from passing along the usual paths on the said lands or cause any annoyance to same.

(12) Not to claim any refund of the money paid under these presents on account of earth being thrown on the banks or berms of pits dug and of materials stacked on the said lands.

(13) To deliver up to the Government for and on behalf of the Governor at the expiration or sooner determination of the said term of this licence the premises the subject- matter of this licence in all respects in such state and condition as shall be consistent with the due performance of the several covenants herein contained.

### III. The Governor covenants with the Licensee as follows—

(1) To permit the Licensee on his observing and performing the several covenants and stipulations on his part contained to peaceably and quietly hold and enjoy the licence hereby granted during the term hereby created without any lawful interruption from the Government or any person rightfully claiming under or in trust for them.

(2) To return to the Licensee the sum of Rs ..... deposited by the Licensee as hereinafter mentioned or such portion thereof as may be returnable to him on the expiration or sooner determination of the term hereby created.

[Clause (2) of paragraph III should be omitted if the licensee is a Village Panchayat]

### IV. It is hereby expressly agreed and declared—

(a) that should the Licensee fail to pay the annual rent or be guilty of a breach of non-observance of the covenants conditions and stipulations on his part to be observed and performed then and in any such case the Executive Engineer, ..... Division, may at any time thereafter in addition to and without prejudice to his other rights and remedies determine this agreement by notice in writing addressed to the Licensee and shall be at liberty to sell by public auction or private sale rights or the Licensee under this agreement and be entitled to and retain the whole amount for which the said right shall be sold. Should however the same be less than the amounts payable by the Licensee under the terms of this agreement for the whole term thereof the Government shall be entitled \*(to make good

the difference from the deposit made by the Licensee and to recover any balance that there may be still remaining due from the Licensee);

\*\*[if the Licensee is a Village Panchayat, then, for the words within brackets in Clause (1) of paragraph IV the words “to recover the difference from the Licensee” should be substituted and the words, within brackets in Clause (3) of the same paragraph should be omitted]

(b) that the annual rent and other amounts payable under this agreement may be recovered by the Government as arrears of Government revenue under the Revenue Recovery Act;

(c) that in the event of the failure by the Licensee to fulfill any of the terms of this agreement he shall (forfeit as the deposits made by him as security and will also) pay to the Government any damages occasioned to the Government by reason of any breach of the covenants and conditions herein contained;

[If the licensee is a village panchayat, then, for the words within brackets in clause (1) or paragraph IV the words “to recover the difference from the licensee” should be substituted and the words, within brackets in clause (3) of the same paragraph should be omitted].

(d) the officers and servants of the Government and any lessee from the Governor or person employed or authorized by such lessee shall have liberty and power to enter into and upon the said lands the subject-matter of this licence and to do such acts and things thereon as the Government or their duly authorized officers may think fit or authorize but without prejudice to the rights of the Licensee under these presents and the Licensee shall not claim or be entitled to any compensation or abatement of the rent payable hereunder in respect thereof unless the Superintending Engineer Circle, considers that the sum is payable;

(e) that if any dispute or difference shall at any time hereafter arise between the Government or their officers on the one part and Licensee as to the rights, duties or liabilities of either party in respect of any matter or thing relating to or arising out of these presents or the construction or meaning of all or any of the provisions herein contained the said disputes or difference shall be referred for settlement to the arbitration of ..... and his decision thereon shall be final.

IN WITNESS whereof ..... acting on behalf of and by the order and direction of His Excellency the Governor of A.P., and the Licensee have hereunto set their hands and seals the day and year first written.

This first schedule above referred to .....

Signed, sealed and delivered by  
the above named .....  
in the presence of .....

Signed, sealed and delivered by  
the above named .....  
in the presence of .....

### **Agreement Form for the Lease of Coconut Trees**

AGREEMENT made the ..... day of ..... One thousand nine hundred and BETWEEN HIS EXCELLENCY THE GOVERNOR OF ANDHRA PRADESH (hereinafter called the Governor with expression shall where the context so admits include his successors in office and assigns) of the on part and\* ..... son of ..... residing at the village

of ..... in the district of ..... (hereinafter called the Licensee which expression shall where the context so admits include his heirs, executors, administrators, legal representatives and assigns of the other part.

\*[If the Licensee is a village panchayat, the second part to the indenture should be mentioned as "The Village Panchayat of ..... village ..... in the taluk of ..... in the district of so admits shall include its successors and assigns, of the other part"].

WHEREAS the Licensee was on the ..... day of ..... declared the purchaser at an auction sale held for the purpose of the sole right to enjoy the usufruct of the coconut trees standing on the land described in the schedule hereto (hereinafter referred to as the said trees) for the terms of ..... year at the sum of Rs ..... per year (AND WHEREAS the Licensee has deposited with the Executive Engineer of the Division hereinafter called the Executive Engineer the sum of Rs ..... as security for the due performance by him of the provisions of this agreement). AND WHEREAS one of the conditions of such purchase was what the Licensee should enter into such an agreement as in hereinafter contained.

Now it is hereby agreed and declared as follows

**I.** The Governor hereby grant unto the Licensee the sole and exclusive right to gather, remove, dispose of and otherwise enjoy the usufruct of the coconut trees standing on the piece or parcel of land situated at ..... in the Restriction District of ..... in the Registration sub-district of ..... and more particularly described in the schedule hereto and of which trees the total number is given column 6 of the said schedule for the term of ..... years from the day of ..... paying therefore the annual of Rs .....

**II. The Licensee covenants with the Governor as follows:**

(1) To pay to the Government, A.P., herein called the (Government) the sum of Rs ..... the balance due in respect of the first yearly instalment on or before the ..... day of .....198 .....

(2) To pay the subsequent yearly payment on or before the ..... day of ..... in each year. Provided however that if the licensee shall fail to pay the Government the rent and other amounts (if any) payable under these presents on the irrespective dates on which they are made payable hereunder the Licensee shall pay interest at 12% per annum on such amounts from the dates on which they were so payable up till the date of payment of recovery.

(3) To trim the trees standing on canal and channels banks so as to allow a clear headway of 3 metres above the top of the said banks.

(4) To dig round the bottom of each and every tree, to trim the roots thereof and to manure them with cattle dung or other manure once in every year during the rainy season.

(5) To have the last removal of ripe cocoanuts from any of the said trees made under the supervision of the nearest subordinate of the Public Works Department not below the rank of Lock Superintendent on the Licensee giving previous intimation to such subordinate in writing of his intention so to remove and the date and hour proposed for such purpose.

(6) To preserve the said trees and their foliage in a good state of cultivation and not except as hereinbefore provided permit the same to be cut damaged or injured in any

way howsoever provided however that the Licensee may collect use and otherwise dispose of all leaves that may have become ripe and detached from the said trees.

(7) To permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said lands the subject-matter of this licence, to view the state and condition of the trees and to dig and remove therefrom any earth or soil and the Licensee shall not be entitled to any compensation in respect of the soil so removed.

(8) Not to remove or collect from any of the said trees any tender coconuts during the month preceding the expiry of the term hereby created.

(9) Not to extract toddy from the said trees or any of them and for such purpose tap the same or permit the same to be tapped.

[(10) Not to assign or underlet the benefits arising under this licence or any part thereof without first obtaining the written consent of .....].

[The recital clause within brackets should be omitted of the licensee is a Village Panchayat]

(11) To yield up and hand over the said trees at the determination of the term hereby created in good and proper state of cultivation and order as shall be in compliance in all respects with the covenants hereinbefore contained and the Licensee shall not be entitled to any allowance or compensation for any expenditure he may have incurred in respect of improvements or otherwise during the said term.

### **III. The Governor covenants with the Licensee as follows:**

(1) To permit the Licensee on his observing and performing the several covenants and stipulations on his part contained to peaceably and quietly hold and enjoy the licence hereby granted during the term hereby created without any lawful interruption from the Government or any person rightfully claiming under or in trust for them.

[(2) To return to the Licensee the sum of Rs ..... deposited by the Licensee as hereinbefore mentioned or such portion thereof as may be returnable to him on the expiration or sooner determination of the term hereby created].

[Clause (10) in paragraph II and clause (2) under paragraph III should be omitted (the subsequent clauses being renumbered) if the Licensee is a Village Panchayat]

### **IV. It is hereby expressly agreed and declared:**

(1) That should the Licensee fail to pay the yearly rent or be guilty of a breach or non-observance of the covenants conditions and stipulations on his part to be observed and performed then and in any such case the Executive Engineer may at any time thereafter in addition to and without prejudice to his other rights and remedies determine this agreement by notice in writing addressed to the Licensee and shall be at liberty to sell by public auction or private sale the rights of the Licensee under this agreement and be entitled to and retain the whole amount for which the said rights shall be sold. Should, however, the same be less than the amounts payable by the Licensee under the terms of this agreement for the whole term \*\*thereof the Government shall be entitled \*\* (to make good the difference from the deposit made by the Licensee and to recover any balance that there may be still remaining due from the Licensee);

\*\*[If the licensee is a Village Panchayat, then, for the words within brackets in clause (1) of paragraph IV, the words "to recover the difference from the Licensee" should be substituted and the words within brackets in clause (3) of the same paragraph should be omitted].

(2) that the yearly rent and other amounts payable under this agreement may be recovered by the Government as arrears of Government revenue under the Revenue Recovery Act

(3) that in the event of the failure by the Licensee to fulfil any of the terms of this agreement he shall **\*\***(forfeit the deposit made by him as security and will also) pay to the Government any damages occasioned to the Govt by reason any breach of the covenants and conditions herein contained

**\*\***[If the licensee is a Village Panchayat, then, for the words within brackets in clause (1) of paragraph IV, the words “to recover the difference from the Licensee” should be substituted and the words within brackets in clause (3) of the same paragraph should be omitted].

(4) that in the event of any of the said tree dying failing to produce fruit or becoming unprofitable or useless during the said period or being cut or otherwise damaged by earth being thrown pits being dug or materials being stacked by the officers and servants of the Government, the Licensee shall not claim or be entitled to any compensation or reduction of rent for such failure or loss but shall continue to pay rent as if the said trees were alive productive and in full vigour nor shall the licensee be entitled to any compensation or reduction in the rent payable by him by reason of the number of such trees being reduced by tempest floods storm or otherwise however;

(5) that in the event of any of the said trees being cut down, damaged or injured by the Licensee or his servants or workmen during the said term he shall pay to the Government and the Government shall be entitled to receive such compensation therefor as the case may deem reasonable of which he shall be the sole judge

(6) that in the event of the Excise department granting permission during the currency of this agreement to any toddy shop renter for tapping toddy from any of the trees included in this agreement after the prior consent of the Public Works Department authorities has been obtained, such trees will be excluded from the scope of this agreement for the period of the toddy tapping licence if that period falls within the period of this agreement or for the unexpired period of this agreement if that period extends beyond the date of the expiry of this agreement. And the lease amounts payable by the licensee for such period shall be reduced by an amount calculated on the basis of the ratio which the number of trees to be excluded bears to the total number of trees leased under this agreement;

(7) the officers and servants of the Government and any lessee from the Governor of Andhra Pradesh or person employed or authorized by such lessee shall have liberty and power to enter into and upon the said lands the subject-matter of this licence and to do such acts and things thereon as the Government or their duly authorized officers may think fit or authorize but without prejudice to the rights of the Licensee under these presents and the Licensee shall not claim or be entitled to any compensation or abatement of the rent payable hereunder in respect thereof unless the Superintending Engineer, Circle, considers that the same is payable;

(8) that if any dispute or difference shall, at any time hereafter arise between the Government or their officers on the one part and the Licensee as to the rights and duties or liabilities of either party in respect of any matter or thing relating to or arising out of these presents or the construction or meaning of all or any of the provisions herein contained the said dispute or difference shall be referred for settlement to the arbitration of and his decision thereon shall be final.

IN WITNESS WHERE OF acting on behalf of and by the order and direction of His Excellency, the Governor of Andhra Pradesh and the Licensee have hereunto set their hands and seals the day and year first written.

The schedule above referred to—

Name, if any of the properly	Survey No. and extent	Taluk in which situated	Village in which situated	Boundaries	Number of trees
(1)	(2)	(3)	(4)	(5)	(6)

Signed, sealed and delivered by the  
above named in the presence of .....

Signed, sealed and delivered by the  
above named in the presence of .....

#### **Agreement Form of the lease of Palmyra, Punga and other Fruit bearing Trees**

AGREEMENT made the ..... day of ..... one thousand nine hundred and ..... BETWEEN HIS EXCELLENCY THE GOVERNOR OF ANDHRA PRADESH (hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of the one part and \* ..... son of ..... residing at the ..... village of ..... in the taluk of ..... in the district of ..... (hereinafter called the Licensee which expression shall where the context so admits include his heirs ..... executors, administrators, legal representatives and assigns) of the other part. \* [If the licensee is Village Panchayat, the second party to indeture should be mentioned as "The Village Panchayat of ..... Village in the taluk of ..... in the district of ..... (hereinafter called the licensee, which expression where the context so admits shall include its successors and assigns) of the other part"].

WHEREAS the Licensee was on the ..... day of ..... declared the purchaser at an auction sale held for the purpose of the sole right to enjoy the usufruct of the ..... trees standing on the land described in the schedule hereto (hereinafter referred to as the said trees) for the term of ..... years at the sum of Rs ..... per year \*(AND WHEREAS the licensee has deposited with the Executive Engineer of the ..... Division (hereinafter called the Executive Engineer) the sum of Rs ..... as security for the due performance by him of the provisions of this agreement) and whereas one of the conditions of such purchase was that the license should enter into such an agreement as is hereinafter contained.

NOW IT IS HEREBY AGREED AND DECLARED as follows:

**I.** The Governor hereby grants unto the Licensee the sole and exclusive right to gather, remove, dispose of and otherwise enjoy the usufruct of the trees standing on the piece or parcel of land situated at ..... in the Registration district of ..... in the Registration of ..... sub-district and of more particularly described in the schedule hereto and which trees the total number is given in column 6 of the said schedule for the term of ..... years from the ..... day of ..... yielding and paying therefor the annual rent of Rs .....

**H. The licensee covenants with the Governor as follows:**

(1) To pay to the Government of Andhra Pradesh hereinafter called the Government the sum of Rs ..... the balance due in respect of the first yearly payment on or before the ..... day of 198 .....

(2) to pay the subsequent yearly payment on or before the ..... day of ..... in each year. Provided, however, that if the Licensee shall fail to the Government the rent and other amounts (if any) payable under these presents on the respective dates on which they are made payable hereunder the Licensee shall pay interest at 12 percent per annum on such amounts from the dates on which they were so payable up till the date of payment or recovery.

(3) To use the said lands the subject-matter of this licensee only for the purposes aforesaid and not for any other purpose.

(4) To preserve the said trees and their foliage in a good state of cultivation and not permit the same to be cut, damaged or injured in any way however provided however that the licensee may collect use and other wise dispose of all leaves that may have become ripe and detached from the said trees.

(5) To permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said lands the subject-matter of this licence, to view the state and condition of the trees and dig and remove there from any earth or soil and the Licensee shall not be entitled to any compensation in respect of the soil so removed.

(6) Not to tap Palmyra and other toddy yielding trees for toddy nor to assign the licence herein contained to any person save with the consent in the writing of the Executive Engineer.

[(7) Not to assign or underlet the benefits arising under this licence or any part thereof without first obtaining the written consent].

[Clause (7) in paragraph II should be omitted (the subsequent clauses being renumbered) if the licensee is a Village Panchayat]

[(8) (a) Notwithstanding anything hereinbefore contained the Licensee shall be entitled from time to time to cut, remove and dispose of leaves from the palmyra trees the subject-matter of the licence provided, however, that there shall be left on each such tree at any one time leaves not less than eight in number.

(b) To permit the agents and the officers and servants of the Government together where necessary with workmen and appliance to enter upon this said land the subject-matter of this licence and cut and remove from the trees thereon all such number of palmyra leaves as may be required for use by the Public Works Department of the Government and in respect of the leaves so cut and removed the Licensee shall be entitled to compensation at the rate of Rs ..... per thousand leaves and so in proportion for any smaller number of leaves.

(c) Not to cut more than once twigs of greater size than half an inch diameter].

\*\*[In the case of palmyra trees, clause (8)(c) above of paragraph II will be deleted. In the case of panga tree, clauses (8)(a) and (b) of paragraph II will be deleted. In the case of ordinary fruit trees, clauses (8)(a), (8)(b) and (8Xc) of paragraph II will be deleted].

(9) To yield up and hand over the said trees at the determination of the term hereby created in a good and proper state of cultivation and order as shall be in compliance in all respects, with the covenants hereinbefore contained and the Licensee shall not be entitled to any allowance or compensation for any expenditure he may have incurred in respect of improvements or otherwise during the said term.

### **III. The Government covenants with the Licensee as follows:**

(1) To permit the licensee on his observing and performing the several covenants and stipulations on his part contained to peaceably and quietly hold and enjoy the licence hereby granted during the term hereby created without any lawful interruption from the Government of any person rightfully claiming under or in trust for them.

[(2) To return to the Licensee the sum of Rs ..... deposited by the Licensee as hereinbefore mentioned or such portion thereof as may be returnable to him on the expiration or sooner determination of the term hereby created].

[Clause (2) of paragraph III should be omitted, the subsequent clause being re-numbered if the licensee is a Village Panchayat]

### **IV. It is hereby expressly agreed and declared:**

(1) that should the Licensee fail to pay the yearly rent or be guilty of a breach or non-observance of the covenants conditions and stipulations on his part to be observed and performed then and in any such case the Executive Engineer may at any time thereafter in addition to and without prejudice to his other rights and remedies determine this agreement by notice in writing addressed to the Licensee and shall be at liberty to sell by public auction or private sale the rights of the Licensee under this agreement and be entitled to and retain the whole amount for which the said rights shall be sold. Should however the same be less than the amount payable by the Licensee under the terms of this agreement for the whole term thereof the Government shall be entitled \* [to make good the difference from the deposit made by the Licensee and to recover any balance that there may be still remaining due from the Licensee];

\*[If the Licensee is the Village Panchayat, then for the words within brackets in clause (I) of paragraph IV, the words “to recover the difference from the licensee” should be substituted and the words within brackets in Clause (3) of the same paragraph should be omitted].

(2) that the yearly rent and other amounts payable under this agreement may be recovered by the Government as arrears of Government revenue under the Revenue Recovery Act;

(3) that in the event of the failure by the Licensee to fulfil any of the terms of this agreement he shall \*\*[forfeit, the deposit made by him as security and will also pay to the Government any damages occasioned to the Government by reason of any breach of the covenant and conditions herein contained];

‘[If the Licensee is the Village Panchayat, then for the words within brackets in clause (I) of paragraph IV, the words “to recover the difference from the licensee” should be substituted and the words within brackets in Clause (3) of the same paragraph should be omitted].

(4) that in the event of any of the said trees dying, failing to produce fruit or becoming unprofitable or useless during the period or being cut or otherwise damaged by earth being thrown, pit being dug or materials being stacked by the officers or servants of the Government, the Licensee shall not claim or be entitled to any compensation or reduction of rent for such failure or loss but shall continue to pay rent as if the said trees

were alive productive and in full vigour not shall be the Licensee be entitled to any compensation or reduction in the rent payable by him by reason of the number of such trees being reduced by tempest floods storm or otherwise howsoever;

(5) that in the event of any of the said trees, its branches or leaves being cut down, damaged or injured by the Licensee, his servants or workmen during the said term he shall pay to the Government and the Government shall be entitled to receive such compensation therefor as the case may deem reasonable of which he shall be the sole judge;

(6) that in the event of the Excise Department granting permission during the currency of this agreement to any toddy shop rented for tapping toddy from any of the trees included in this agreement, after obtaining the prior consent of the Public Works Department authorities such trees will be excluded from the scope of this agreement for the period of the toddy tapping licence if that period falls within the period of this agreement or for the unexpired period of this agreement if that period extends beyond the date of the expiry of this agreement. And the lease amounts payable by the Licensee for such period shall be reduced by an amount calculated on this basis of the ratio which the number of trees to be excluded bears to the total number of trees leased under this agreement;

(7) the officers and servants of the Government and any lessee from the Governor or person employed or authorized by such lessee shall have liberty and power to enter and upon the said lands the subject matter of this licence and to do such acts and things thereon as the Government or their duly authorized officers may think fit or authorized but without prejudice to the rights of the Licensee under these presents and the Licensee shall not claim or be entitled to any compensation or abatement of the rent payable hereunder in respect thereof unless the Superintending Engineer ..... Circle, consider that the same is payable;

(8) that if any dispute to difference shall at any time hereafter arise between the Government or their officers on the one part and the Licensee as to the rights, duties or liabilities of either part, in respect of any matter or thing relating to or arising out of these presents or the construction or meaning of all or any of the provisions, herein contained the said dispute or difference shall be referred for settlement to the arbitration of ..... and his decision thereon shall be final.

IN WITNESS where of ..... acting on behalf or by the order and direction of his Excellency the Governor of Andhra Pradesh, and the Licensee have hereunto set their hands and seals the day and year first written.

SIGNED, sealed and delivered by the above named in the presence of .....

SIGNED, sealed and delivered by the above named in the presence of .....

—————

**Agreement Form for the Lease of the right to Plant and maintain  
Coconut Trees on the Banks of Irrigation Works  
(For adoption with necessary Modifications, if any)**

AGREEMENT made the..... day of ..... one thousand nine hundred and  
BETWEEN HIS EXCELLENCY THE GOVERNOR OF ANDHRA PRADESH  
(hereinafter called the Governor which expression shall where the context so admits  
include his successors in the office and assigns) of the one part and ..... s/o ..... in  
the District

hereinafter called the Licensee (which expression shall where the context so admits include his heirs, executors, administrators, and legal representatives) of the other part.

(1) The Licensee will within six months from the date thereof plant in such places as the Executive Engineers from the time being in charge of ..... the division (hereinafter called the Executive Engineer) may from time to time approve on the ..... slopes of the bank on the ..... side of the ..... channel between the ..... Kilometer ..... Hectometer and Kilometer ..... Hectometer ..... coconut trees in manner hereinafter provided.

(2) The trees shall be planted at a minimum distance apart of 6 metres and so as not to interfere with the passing along the bank by the Inspecting Officers of the Public Works Department and no tree shall be planted with 30 metres of any masonry work connected with the said channel.

(3) The Licensee will maintain such trees and will replace any trees that may die within the period of two years from the date hereof by others so that at the expiration of such period of two years after which no fresh trees shall be replanted the full number of trees shall be growing on the said bank.

(4) All trees so planted shall be the property of Government of Andhra Pradesh, and tree that shall be or become barren or die shall be reported by the Licensee to the Executive Engineer for the purpose of removal under the orders of the latter.

(5) The Licensee shall cultivate and maintain such trees so as to bring same into bearing at the usual period and as from the date of any commencing to rear fruit, the Licensee shall pay to the Executive Engineer, in the month of February of each year in advance, the sum of Rs ..... by way of tree tax for each such tree, failing which the tax due and payable to Government shall be recovered as if it were an arrear of land revenue. Licensee have hereunto set their hands and seals the day and year first written.

(6) The Licensee shall be entitled in every year so long as the trees or any of them bear fruit, but subject to termination as hereinafter mentioned, to gather and remove the produce (i.e., the coconuts and leaves) of any tree in respect of which he may have paid such tree tax but the Licensee shall not be entitled to tap any tree for toddy nor shall the Licensee assign the licence herein contained to any person save with the consent in writing of the Executive Engineer.

(7) In the event of the Excise department granting permission during the currency of this agreement to any toddy shop renter, for tapping toddy from any of the trees included in this agreement, after obtaining the prior consent of the Public Works Department authorities, such trees will be excluded from the scope of this agreement for the period of the toddy tapping Licence if that period falls within the period of this agreement or for the unexpired period of this agreement if that period extends beyond the date of the expiry of this agreement and the lease amounts payable by the Licensee for such periods shall be reduced by an amount calculated on the basis of the ratio which the number of trees to be excluded bears to the total number of trees leased under this agreement.

(8) The Licensee will indemnify the Government of Andhra Pradesh (hereinafter called the Government) in respect of any damage that may be caused to the said channel banks by reason of the planting maintenance or gathering the produce of the said trees or any of them and will on demand pay to the Executive Engineer the cost of all repairs 'r works required for the said banks by reason of the exercise of any rights under the terms hereof.

(9) If the opinion of the Superintending Engineer Circle, for the time being hereinafter referred to as the Superintending Engineer, it is desirable, that all or any of the said trees shall at any time at times hereafter be cut down such trees may after the expiry of one week from the service on the Licensee of notice of the intention to remove same be cut down and removed according to the directions of the Executive Engineer and the Licensee shall not be entitled to compensation in respect of the removal of all or any of such trees.

(10) In the event of the breach by the Licensee of any of the provisions of the agreement the Executive Engineer ..... may be notice in writing address to the Licensee at his last known place of abode cancel this agreement and on the expiry of seven days from the date of such notice, this agreement shall stand cancelled and all the provisions hereof shall cease and determine and the Licensee shall forthwith hand over to the Executive Engineer, ..... for and on behalf of the Government the land in his occupation together with the trees thereon in good condition and the Licensee shall not be entitled to any compensation in respect of such cancellation of this licence or to a refund of all or any portion of the tree-tax already paid by him

(11) In the event of any difference or dispute arising as to the meaning of any of the terms thereof or the breach by the Licensee of any of the condition herein contained or as to any matters arising in connection herewith such difference or dispute shall be referred to the Superintending Engineer whose decision thereon shall be final, and conclusive and altogether binding on the parties hereto.

(12) Nothing herein shall amount to or be construed as a demise or agreement to make a demise of or creating any interest in the land forming the said channel bank or any part thereof.

IN WITNESS whereof ..... the Superintending Engineer of the ..... Circle acting on behalf of and by the order and direction of His Excellency the Governor of A.P., and the Licensee have hereunto set their respective hands, the day and year first above written.

SIGNED by the above named in the presence of .....

SIGNED by the above named in the presence of .....

—————

**Form of Supplemental Agreement to be executed in the case of Lease  
or Grass and of Fruit Trees to Village Panchayats**

AGREEMENT made the ..... day of ..... one thousand nine hundred and ..... BETWEEN HIS EXCELLENCY THE GOVERNOR OF ANDHRA PRADESH (hereinafter called the Lessor which expression shall where the context so admits include his successors in office and assigns) of the one part and THE VILLAGE PANCHAYAT ..... village in the taluk of ..... in the district of ..... (hereinafter called the Lessee which expression shall where the context so admits include its successors and assigns) of the other part and supplemental to an agreement of lease, dated the ..... day of ..... 19 ..... and made between the same parties as hereto (hereinafter referred to as the principal indenture)

WITNESSETH:

THAT the Lessor hereby gives and grants full and free consent and licence unto the Lessee to demise or underlet the rights, privileges and benefits comprised in the principle INDENTURE.

PROVIDED ALWAYS that such demise or underlease shall contain nothing which may prejudice or affect any of the covenants, conditions or provisions contained in the principle indenture and on the part of the lessee to be observed and performed and that the consent and licence hereby given in upon the express condition that the demise or underlease to be made under or by virtue thereof shall contain a covenant by the underlease that such Lessee will not assign or underlet without the previous consent in writing of the Lessor and also provision for re-entry and termination of the underlease or grant in case the underlessee shall admit any breach of such covenant.

AND THE LESSEE hereby covenants with the Lessor that the Lessee will not without previous consent or licence in writing of the Lessor release or waive the said covenant against assigning, underletting or otherwise parting with the possession of the premises to be comprised in the said demise or underlease or any part thereof but will in case of any breach of such covenant forthwith re-enter upon the same premises under the provision in that behalf to be contained in the said demise, or underlease as hereinbefore provided unless the Lessor shall otherwise contract in writing.

PROVIDED ALWAYS that the provision for re-entry by the Lessor contained in the principle indenture shall extend to and exercisable in case of any breach by the Lessee of the covenants hereinbefore contained as well as the breach of any of the covenants contained in the principle indenture and on the part of the Lessee to be observed and performed AND that if any damage is caused by the underlessee to the said lands the assessed value of such damage shall be paid by the Lessee.

IN WITNESS whereof ..... Sub-divisional Officer, Public Works Department ..... Sub-division ..... Division acting on behalf of and by the order and direction of His Excellency the Governor, A.P. and the ..... acting for and on behalf of the lessee have hereunto set their respective hands and seals the day and year first above written.

SIGNED, sealed and delivered by the above named ..... in the presence of .....

SIGNED, sealed and delivered by the above named ..... in the presence of .....

SIGNED, sealed and delivered by the above named ..... in the presence of .....

## RULES

### **Rules relating to the lease of grass, usufruct of trees, etc., on Public Works Department canal, channel, drain, porambokes, etc.**

**1-A.** Concession to village panchayats :—(i)(a) Executive Engineers are authorized to grant to village panchayats constituted under the A.P.Z.P. Act, the lease of grass, usufruct of trees, etc., on Public Works Department canal, channel, drain and tank parambokes and flood banks, subject to the conditions mentioned below. Panchayats shall be preferred even if there are higher bids from other persons or bodies.

(1) The panchayats shall pay annually to the Government a sum equal to the average annual revenue realized during the preceding five years.

(2) The panchayats shall conform to the usual conditions imposed on individual lessees. The Executive Engineer concerned shall have the power to cancel the lease of grass, etc., flood banks, if, in his opinion, any damage is caused and the panchayat is responsible for it.

(b) Executive Engineers shall furnish to the panchayats a list of all leases which are open to the panchayats in their respective village limits in the form annexed to this appendix, shall add to the list new items of lease, if any, as and when they arise and intimate the addition to the panchayats so that the panchayats may take up the lease, if they so desire and remit the lease amount by the date fixed in each case. The areas included in the lease may not necessarily cover all the Public Works Department lands in panchayat limits and the areas not mentioned in the schedule or specifically excluded shall not be included in the lease. They will be usually of the nature of lock, inspection bungalows or office compound or of quarters of establishment. The panchayats should also be told that unless they offer to take up the lease by the date specified for the renewal of the respective leases and remit the lease amounts by that date, it will be assumed that the panchayats do not wish to take up the lease and action will be taken accordingly.

(ii) The panchayats will be allowed to appropriate the income from withered and windfallen trees on canal and drain porambokes (included in the areas leased) the right to cut grass and to enjoy the usufruct of trees on land which has been leased to them. Before such trees are removed by the panchayats the prior approval of the Sub-divisional Officer should invariably be obtained. Trees wilfully damaged will not be included in this concession.

**Note :—**Agreements shall be entered into with panchayats in the form prescribed in Appendix 'X' of the A.P. Public Works Department Code both principal and supplemental subject to the following modifications

(a) Where, under Paragraph 346 of the A.P. Public Works Department Code, the principal agreement is not in the prescribed form (Appendix 'X') the supplemental agreement shall, with the assistance of the local Government Pleader, be suitably modified so as to indicate that the principal agreement is not in the prescribed form.

(b) Where the principal agreement is for a lease amount of Rs. 50 and less, the President of the Panchayat shall be required to execute supplemental agreement which shall be modified by omitting the words "and ..... a member" in the concluding portion of the supplemental form of agreement.

(c) Where the principal agreement is for a lease amount of more than Rs.20 the officer empowered to approve such agreements should execute the supplementary agreement. This can be done by scoring out the words "Sub-divisional Officer ..... Sub-division" and entering "Executive Engineer" "Superintending Engineer" as the case may be in concluding portion of the supplemental form of agreement.

**1-B. Concession to societies of communities eligible for help by Labour Department :—**(1)(a) If the panchayats do not want the lease or do not remit the lease amounts by the rates prescribed, the lease shall be granted to societies of communities eligible for help from the Labour Department in the order of preference given below, subject to the payment of the average rental for the preceding five years. Even in cases where a larger amount than the average rental may be realized by auction, the lease should be granted to the said societies.

(1) If there is a registered co-operative Society of the Village in which the property is situated, the lease shall be granted to that society in preference to any other society.

(2) If there is no registered co-operative society, the lease may be granted to any other registered society of the village, and, in its absence, to an unregistered society of the village.

(3) If there are more than one registered co-operative society, or registered (under Act XX of 1860) or unregistered society, the lease shall be auctioned among the competing societies of each class of the particular village in which the property is situated, the order of preference being as indicated above.

**Note** :—(1) Executive Engineers may, in their discretion, grant the lease to societies, outside the boundaries of a village in which the property to be leased lies, if there is no society in the village or the society of the village does not apply for the lease.

(2) Executive Engineers are authorized to grant without auction lease of the right to cut grass in lankas and river margins to societies of communities eligible for help from the Labour Department subject to the conditions mentioned in Rule (I) above.

**Exception** :—Trees on the beds of tanks in charge of Public Works Department (including those for the maintenance of which a special staff of watchman etc., is employed by the Public Works Department) are under the control of the Revenue Department and the Collector should arrange for the disposal of the produce of such trees.

### ANNEXURE

#### Form referred to in Rule 1-A (i)(b)

Name of the Village Panchayat	Description of property to be leased to entirely within the limits of the panchayat board concerned	Date from which property is available for lease and period of lease	Date by which intimation of willingness to take up lease or the contrary should be given to the Executive Engineer	Last date by which lease amount should be paid	Remarks, if any
(1)	(2)	(3)	(4)	(5)	(6)

**APPENDIX XI**

**Procedure to be followed in the case of Emergent Works**

**(Vide Paragraph 17 of this Code)**

Subject to clause 4 below, where an emergent work is done through a contractor or a piece-worker, a piece-work agreement should be entered into with him by the office on the spot before work starts. This form of agreement is particularly suitable, as it is terminable in case the higher authorities, who are competent to sanction the proper agreement in the standard form in the particular case, disapprove of any of the terms. When the circumstances are so emergent that even a piece-work agreement cannot be signed, it will be sufficient to have a written order for the work signed by both the piece-worker or the contractor and the office on the spot as indicated in clauses 2 and 3 below.

2. If the local Public Works Department official is unable to leave the spot to enroll labour, he will probably have to engage it through a contractor or piece-worker vide paragraph 292, A.P. Public Works Account Code. In such a case written work order, which need not necessarily be on the printed form, should be signed on the lines indicated below:

**Breach at kilometer, Main canal**

Agreement to supply daily so long as the sub-divisional officer or his duly authorized representative may require .....

100 men (working 9 hours a day) at ..... Rupees a day.

40 women (working 9 hours a day) at ..... Rupees a day.

**N.B.** :—Tools will be supplied departmentally. Contractor’s profit at 10 per cent on cost of labour.

(Signed) A.B.  
P. W. Officer.

(Signed) C.D.  
Contractor.

Date:

3. When the emergent work is to be carried out by a piece-worker or a contractor and not departmentally by labour engaged through a manuscript work order should be signed in the first instance as indicated below:

**Breach at Kilometer, Main Canal**

Agreements to carry on the work at the following rates until terminated by the Sub- divisional Officer or his duly authorized representative .....

	<b>Per one Cub. M.</b>
Earthwork—Closing breach including breaking clods and ramming in 22mm layers, initial rate	_____
Extra lift (average 3 Metres)	_____
Extra Lead (average 30 Metres)	_____
Total:	_____

(Signed) A.B.  
*P. W. Officer.*

(Signed) C.D.  
*Contractor.*

Date:

These work orders may be written in a note-book or any available sheet of paper, but should no paper be available at the moment, the work may be started without it, but the order should be signed as soon as paper can be procured.

4. The object of these rules is to explain in what manner local officers and subordinates should meet their responsibilities in emergent cases under paragraph 173. It is however most important that the first agreement shall not commit Government to any expenditure beyond what has to be incurred in an emergency at the discretion of the local officer and it is for this reason that the first agreement shall be only of the nature of a piecework agreement. Ordinarily, such agreements should be signed only by officers not below the rank of a Sub-divisional Officer, as those below that rank have no powers to sanction any works and cannot consequently accept agreement, but in works of exceptional emergency, a subordinate officer may give a work order when, for example, the Sub-divisional Officer is absent. Such action should, however, be reported as soon as practicable to the Sub-divisional Officer or other senior officer, if possible by telegraph.

5. When the steps as indicated in the above paragraphs have been taken to meet the emergency and the work has been started, there should be no avoidable delay in preparing a proper estimate and an agreement in the standard form and in obtaining the sanction of the competent authority. The rates agreed to in the emergency in accordance with the procedure indicated in the above paragraphs cannot be revised by a higher authority for the portion of the work already done. There should be also no avoidable delay in liquidating a liability already incurred vide sub-paragraph to paragraph 30-B of Andhra Pradesh Financial and Account Code, Volume I, and paragraph 363 of the Andhra Pradesh Public Works Account Code.

6. In cases of real emergency and subject to the foregoing provisions, officers are empowered to pay such higher rates, as compared with normal rates, as may be found absolutely necessary. Care should however, be taken to see that the emergency rates are suitable to the circumstances and are not higher than are really necessary to get the emergent work done.

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## APPENDIX XII

### **Sanitation of Camps and Mazdoors lines, measures to be adopted for preserving the health of the workers**

The essential requirements for the maintenance of the health of workers are housing and ventilation, food, water and conservancy.

**2. Housing and Ventilation** :—In the first place, the selection of a suitable site is of the greatest importance. This should always be done in consultation with the Director of Public Health. High and dry ground having a natural slope is the ideal site for houses and ought to be chosen wherever possible. The neighbourhood of jungle, rank grass or vegetation and places, having a high sub-soil water level should particularly be avoided as they are likely to be malarious. When naturally high and dry ground cannot be procured, special attention should be paid to surface drainage, and, if necessary, to the sub-soil drainage of the site.

After the site is selected, the lay out should be prepared in consultation with the Director of Public Health. Roads and house-plots should be carefully marked out. Main roads should have maximum width of 7.5 metres at intervals of every 100 metres secondary roads have a minimum width of 6 metres should be provided. The object of providing main and secondary roads is to secure free perflation of air. Stagnation of water should be prevented by providing drains of proper gradient on the sides of the roads. There waste water including sullage and sewage should be disposed of properly as, for example by irrigation on suitable land and then discharging the effluent, if any, into a water course not used for drinking purposes.

Huts can easily be constructed at small expenses in most parts of the country and will be sufficient for the accommodation of the workers. They should be constructed in regular lines facing the main and secondary roads. Back-to-back huts must never be permitted. It is very important that there should be no over-crowding. As in large works of permanent or semi-permanent nature, the work people usually migrate with their families, the huts should be of a sufficient size for the occupation of a family. Ordinarily a hut should consist of a room not less than 3.5 M x 3 M with a front and rear varanda having a minimum width of 1.5 meter the eaves being not less than 1.5 meter from the level of the basement. A portion of the back veranda may be partly enclosed by a honey-combed wall in order that it might be used as a kitchen. The main room should be provided with two windows not less than 1.0 x 0.75 M each. It would be advantageous to have one or two cup boards in the walls for keeping articles of r00d. This will also help to keep the huts free from rats. In camps which are expected to be occupied for a considerable period, the structural details can be improved. Every possible care should be taken to see that the huts are kept clean and in proper order.

**3. Food** :—In most parts of the presidency, no difficulty will be experienced in getting a sufficient supply of good food. No special arrangements need be made in the case of camps where workers can obtain their food supplies without difficulty from a neighbouring market, Where no such facilities exist, it is necessary to establish a bazar and to provide for the sale of wholesome food in sufficient quantity. Besides the ordinary articles of diet such as rice, dhall, oil, condiments, etc., a sufficient variety of other food stuffs such as meat, fish, eggs, milk and fresh vegetable should be available.

4. **Water** :—The provision of a good and pure drinking water-supply is of the utmost importance in maintaining the health of the work people. All proposals and plans relating to drinking water supplies should be submitted to the Director of Public Health and the works started only after his approval is obtained.

The best sources of drinking water-supply are deep wells. Failing these, tube-wells are next best. Shallow wells, tanks and rivers are dangerous sources on account of their liability to pollution and should as far as possible be avoided.

The sites for sinking of wells should be selected with care. They should be kept free from any chance of contamination by sewage or other filth. The natural slope of the ground will assist in determining the sites for wells.

The sites having been chosen, the question whether the construction of a deep-well, a tube-well or a shallow well is feasible and whether the soil yields portable water, should be decided by a preliminary inspection of existing wells in the locality or by boring operations:

Provided conditions are favorable, preference should always be given to deep-wells. If this is not possible, tube-wells should be sunk. Only when conditions for the sinking of deep wells or tube-wells are unfavourable should shallow wells be constructed. If on account of the saline nature of the soil, wells yielding fresh water cannot be constructed, tanks and rivers should be resorted to as the last alternative. Bathing or washing should be completely prohibited in the case of tanks set apart for drinking purposes. Where river water has to be used, tube-wells sunk in the banks are often successful. It must be recognized that river water is always polluted water and before using it some method of purification is essential.

Wells, deep or shallow, should always be lined with masonry or cut stone, and the inner surface of the lining should be impervious. The wells should have a parapet wall of not less than 1 meter in height and have a masonry cemented platform to a minimum width of 2 metres all round. Suitable drains with proper gradient for the disposal of waste should be provided, the spill water being disposed of in a garden laid out for the purpose in the neighbourhood of the well or in filter trenches situated at a distance of not less than 30 metres from the well. Bathing or washing should not be allowed in or near any drinking water well. A separate well may, if necessary, be provided for these purposes. In the case of tube wells, platforms and drains are also necessary. Directions given for the prevention of the bathing and washing equally apply to tube-wells.

The best methods of distributing drinking water from wells, tanks and rivers is to raise the water by means of pump driven by an oil engine, gas engine, steam engine or electric motor, as may be most convenient to a high level reservoir or iron tank of sufficient size from which pipes with delivery taps can be laid to all parts of the camp. These arrangements should be adopted especially in the case of large camps. The next best alternative for obtaining water from these sources is by means of hand pumps or water elevators similar to those described in G.O.No. 248, P.H., dated 5th February, 1926. As a technical staff is always attached to works of any considerable size, skilled labour will always be available to look after the pumps, and no difficulty need therefore be anticipated about their upkeep and repair. If, for any reason, power pumps, hand pumps or water elevators cannot be used, wells should be provided the pulleys and the water drawn by means of public buckets and ropes, the use of private vessels being strictly prohibited. The removal of water by these methods should be adopted even in the case of tanks and rivers;

this may be done by constructing one or more revetments on which the pumping installation or scaffolding for pulleys may be erected.

The object of these arrangements is to prevent as far as possible the contamination of drinking water and the spread of water borne disease.

As a general precaution the people living in the camps should be advised to boil all drinking water before it is used. This remarks applies with special force to water derived from tanks, rivers and shallow wells.

**5. Conservancy** :—The camps and their vicinity should be kept clean at all times. For sweeping roads and pathways, menials should be employed at the rate of one sweeper for 750 people. In the case of larger camps, maistri should be employed to supervise the work of menials at the rate of one maistri for every 12 menials. For smaller camps at least one maistri should be employed in any case. One Sanitary Inspector should be appointed for every 3,000 persons living in a camp.

Public dust-bins were provided at intervals of every 100 metres for the temporary storage of road-sweeping and domestic rubbish pending their removal by conservancy carts. Hand-carts or bullock-carts should be employed for the removal of refuse to a central dumping ground. The best method disposal of sweeping at the rubbish depot is by burning. Cheap incinerators similar in design to the ordinary lime kiln will serve this purpose. If incineration is not feasible and if there is a demand for refuse, it may be sold on condition that it is removed at once. Otherwise it should be covered over with a layer of 30 to 45 cms. of dug earth in order to prevent nuisance and the breeding of flies. Promiscuous dumping of rubbish should not be permitted on any account

Public latrines should always be provided for the use of workers. Sites for latrines should be selected with the greatest care; they should be situated as far as possible from sources of drinking water supply, but at the same time, they should be within easy reach of the people.

Separate latrine accommodation should be provided for the two sexes. In the case of large camps where they are expected to be in existence for some years, permanent masonry type design sanded latrines should be built. The minimum requirement is one seat for every 25 people. Scavengers should be in constant attendance to keep the latrines clean. in the case of permanent or semi-permanent latrines, hand-carts with metal drums should be provided for removing the excreta to a trenching ground. Trenching grounds should be selected with care and in consultation with the District Health Officer and should be situated at considerable distance from the camps. The trenches should not be more than 45 cms. in depth, 30 cms. wide and the length of the trenches should ordinarily be 6 metres. A distance of 60 cms. should intervene between adjacent trenches. Nightsoil should be deposited in the trenches to a depth of not more than 15 cms. and it should be immediately covered with the earth previously removed from the trench. The trenches should not be disturbed at least six months or until such time as is necessary for the complete disintegration of the faecal matter. Ground which has been once used for trenching should be suitably cultivated before being again brought into use. Approximately one acre is required for every thousand persons. In the case of less permanent camps, shallow tenches enclosed by thatti screens are the best. The remarks previously made regarding the distance of latrines from drinking water sources apply specially to this type. Every morning one or more fresh trenches should be dug according to requirements. The trenches should not be more than 45 cms. deep and every time the trench is issued, a quantity of earth should be thrown over the stool. At the close of each day, the trenches should be completely filled

in. Used trenches should be suitably marked in order that the ground may not be again opened up before complete decomposition has taken place.

6 . The provision of lighting arrangements should not be lost sight of in constructing workmen's camps.

7. **Medical relief** :—Wherever any large body of workmen is collected, a small dispensary manned by a medical unit consisting of a Sub-Assistant Surgeon, a compounder, a ward-boy and a toti are necessary. In most cases, however, central establishment will be sufficient for several kilometers of work. The dispensary should ordinarily be reserved for treating accidents and cases of a trifling nature in which early recovery is expected. As a rule, it is advisable to transfer persons suffering from any serious illness to the nearest station where there is a well-equipped hospital. In this connection, a motor ambulance will be found very useful especially when a large body workers is employed.

8. The dispensary referred to in the previous paragraph is for the treatment of simple ailments. Diseases which are liable to become epidemic require separate and special consideration. Under this head, the following diseases have to be considered.

9.(i) **Cholera** :—The appearance of even a single case of cholera should receive immediate attention. The officer in charge should promptly notify the occurrence to the Health Officer, the Health Inspector and the Medical Officer. The following precautions should be taken in connection with the patient

(a) He should be removed without delay to the Infection Diseases or Isolation Hospital. If no such hospital exist the patient should be isolated in a separate hut or preferably in a shed specially put up for the purpose, and communication with the rest of the camp should be forbidden.

(b) The germs of cholera are extracted in the stools and vomit of the patient and are also present in soiled clothing. The discharge should be received in paddy husk or saw dust mixed with kerosene oil or cresol and then burned. If the discharges be voided upon the ground, straw should be burned on the spot and a strong solution of cresol (1 in 200) should be subsequently poured over it. The earth should then be dug up and removed fresh earth provided.

(c) All soiled bedding and mats, rags and clothing should be burnt. If, on account of the cost of the articles, burning is objected to, they should be soaked in a solution of cersol (1 in 400) and subsequently boiled in water for 15 minutes.

(d) Vessels and other articles used by the patient should, before removal from the room, be soaked in disinfecting lotion and boiled in water for 15 minutes.

(e) The patient should be isolated for at least three weeks after convalescence, in the absence of proper bacteriological tests.

(f) Every infected hut and its contents should be treated with cresol (1 in 200).

(g) No washing of clothes, utensils or persons, especially from a house in which a case of cholera has occurred should be allowed in or near any water source or in any situation from which the washing water is likely to flow into such sources.

(h) Care should be taken not to allow flies to settle upon the patient or his discharges as these insects readily convey the germs of cholera to milk and other foods, and spread infection.

(i) The number of attendants on the sick should be kept at a minimum. They should be very careful about their personal cleanliness. Their clothes whenever soiled with cholera discharges should be at once disinfected. When leaving the patient, they should wash their hands in cresol lotion and then with soap and water. They should not be allowed to prepare food either for themselves or for others.

(j) No food should be part taken of in the sick room either by the attendants or by anybody else. Chewing of betel leaves there is also dangerous.

(k) Early treatment is of the greatest importance. The best medicines for this purpose are Misturea Pro-Diarrhoea (10 to 15 drops 15-30 minutes till the diarrhoea stops) and potassium permanganate pills (1 every 15 minutes). This treatment should be continued until the arrival of the Medical Officer.

(1) The bodies of persons who have died of cholera should be carefully and thoroughly burned. If they have to be buried, this should be done at a considerable distance from wells, tanks and streams. Burials should not be permitted in ground sloping towards water-supplies. The men engaged in the removal and disposal of the crops should disinfect their hands and clothes immediately after their work is finished and before they taken any food.

(m) There must be no funeral feast in the hut in which a death from cholera has occurred.

As soon as a case of cholera occurs, the Health Officer should institute without delay careful and exhaustive enquiries in order to determine the source of infection and prevent further infection from the same source.

The following facts regarding the origin and spread of cholera and the means of its prevention should be remembered

(1) Water is the most usual means by which infection is conveyed. If the outbreak is of explosive violence, it is certain that the infection has been conveyed by the general water-supply. If the outbreak persists, the indication is that more than a single pollution of the water has occurred. If the outbreak is more limited, it may be due to some less general vehicle, such as dirty pool from which only a certain number have drunk, or some contaminated food of which only a certain number have partaken. But there is always urgent danger of a subsequent contamination of the general water-supply.

(2) The most minute attention should therefore be paid to the purity of water-supply. All wells should be chlorinated or treated with potassium permanganate daily until all danger has disappeared.

(3) If a well or other source appears to be in the origin of infection, it should, if possible, be put out of use for the time being, and for as long as any known source of pollution continues to act. A polluted well should not be taken into use again, until it has been emptied, cleaned out, and chlorinated or disinfected with potassium permanganate.

(4) When a pure or disinfected water has been provided, every effort should be made to see that it is alone issued. Dirty or suspected pools, tanks, wells etc., should be filled up or tendered inaccessible, or the water in them may be rendered undrinkable by adding coal-tar, kerosene, or any other similar odorous non-poisonous substance which impairs its palatability

(5) Cholera germs are easily killed by boiling. People should be advised to drink nothing but boiled water.

(6) Vessels used for cooking, eating and drinking should be thoroughly scrubbed and washed with clean boiled water.

(7) Cholera is frequently conveyed by flies which carry infection from filth to food. The damages of fly infection should be pointed out to the people and they should be advised to keep all articles of food and drink properly covered up.

(8) All food should be eaten freshly cooked and hot and cold food cooked the previous day should be avoided. Such food is frequently very dangerous as flies may have carried cholera germs to it and infected it.

(9) Raw and unripe or over-ripe fruit predisposes to cholera and therefore should be avoided when cholera is present or threatens to appear.

(10) It is good agreement, if possible, to have a separate bazaar for the camp in order to have proper control over the articles sold therein.

(11) Every should be warned to report at once any diarrhoea, however slight it may be, so that it can be promptly treated. Even if the attack does not happen to be actual cholera, it is the most, frequent precursor of the disease and demands immediate treatment. As persons will apparently slight ailments do not always realize the importance of going to the Medical Officer, it is a good plan to have pre-diarrhoea mixture, cholera pills; etc., in the hands of the more intelligent overseers and contractors for distributions to those who need them. But these men should be definitely instructed to keep the Medical Officer informed of what is going on.

(12) Careful attention should be paid to the general sanitary arrangements of the camp and of the houses. The more perfect they are, the less the risk of spread of infection by flies.

(13) It is absolutely necessary to have suitable latrine arrangements, and to see that every one uses the latrine, and does not resort to the banks of the streams or tanks, etc., for the purposes of nature. The latrines should be kept clean at all times and disinfected at least once in 24 hours with cresol solution. The staff of latrine sweepers should be sufficient to ensure that every motion is immediately covered up with dry earth or disinfected and that the latrines are always kept clean and tidy. These instructions should be carried out with method and intelligence.

(14) As fatigue lowers resistance to disease, people should be encouraged to take proper sleep and rest and not spend the nights in singing, tom-toming and so forth.

(15) Great care should be taken to prevent the importation of the disease from neighbouring infected villages. If it can be arranged no food supplies should be brought in from such villages. Any supplies so received should for boiled or cooked before use.

(16) All persons coming or returning from infected villages should be kept under surveillance for ten days.

(17) In case of necessity, additional medical aid should be called for without delay.

(18) The officer in charge should by his example show his men that he himself believes in the measures that he recommends.

(19) Every attempt should be made to protect the workers and their families with anti-cholera vaccine. Inoculation causes practically no pain or discomfort and it protects the individual against infection for some months. The vaccine may be obtained from the Institute of Preventive Medicine, Hyderabad. The District Health Officer will make arrangements for obtaining the vaccine and carry out the inoculations.

(20) In seasons of the year when cholera may be expected to break out although no cases may have occurred, it is wise to anticipate possible outbreaks by attending the sanitary rules mentioned in the above paragraphs.

(21) A daily report of cholera, and other infectious diseases should be submitted in the annexed form by the officer in charge of the camp to the Health Inspector, Medical Officer, District Health Officer, the Director of Public Health, the Superintending Engineer of the Works and the Chief Engineers.

(ii) **Smallpox** :—As a rule, this does not occur in epidemic form among adults. All new-comers to the camp should, however, be re-vaccinated without delay. When workmen bring their families with them, all children should be vaccinated or re-vaccinated with as little delay as possible, on the appearance of a case of smallpox, no matter how slight it may be, the patient should be isolated in the manner indicated in the previous paragraph. All contacts should be re-vaccinated and kept under surveillance for a period of 14-18 days. Arrangements should be made for the attendance of the patients removed to the isolation shed. Person selected for this purpose should themselves be protected against smallpox either by having had an attack of smallpox previously or by recent revaccination. The Medical Officer of the camp should take all measures for the treatment of patient and the disinfection of infected material. Convalescents should be provided with new clothing. After convalescence or death, the patient's clothing and all other infected articles should be burnt. By strict attention to these instructions the changes of the disease assuming an epidemic form will be averted. In the event of an outbreak of smallpox a vigorous vaccination and re-vaccination campaign should be undertaken under arrangements with the District Health Officer.

(iii) **Plague** :—The occurrence of Plague in human beings is invariably preceded by rat-fleas and excessive mortality among rats. This is due to the fact that Plague is chiefly a disease of rats. The rat-fleas leave the rat when it dies of the disease and may bite man and infect him.

The occurrence of any rat-flea or of a case of a Plague should be reported immediately to the Health Inspector, Medical Officer and Health Officer. Rats can be excluded from the house by storing foodgrains properly and by keeping the house and surroundings free from refuse and remains of food. Rat traps and poison baits shoals also can be used, barium carbonate in the form of pills being the most efficient poison to use. The importation of foodgrains from Plague-infected areas should as far as possible be avoided. If, however, there is no other source of supply, the grain bags must be opened up and the grain exposed to the sun before it is taken into the camp. As soon as Plague occurs every person should be inoculated with anti-plague vaccine as soon as possible. The Health Officer will arrange to get the vaccine from Institute of Preventive Medicine, Hyderabad and carry out the inoculation. Such persons as refuse to be inoculated should be segregated in a health camp specially constructed for the purpose.

When Plague cases have occurred in small houses or huts, the roofs should be removed and the interiors exposed to the sun. Any rats found should be killed and put in

boiling water or burned in kerosene oil. In the case of pakka buildings, the roof of which cannot easily be dismantled, disinfection should be carried out with kerosene oil emulsion which will be prepared and supplied by the officers of the Public Health Department.

Detailed instructions for the Prevention and Control of Plague will be found in the A.P. Plague Regulations.

(iv) **Malaria** :—If the camp is situated in a waterlogged area or any other locality where malaria is likely to be prevalent, special precautions are necessary to safeguard the health of the labourers, lest the efficiency of the operations in the works should suffer. Malaria is conveyed by mosquitoes which breed in the water of tanks and rivers and even in small collections such as are to be found in thattis, tins, old posts, etc., in and near the houses. Any tanks, wells, pools in or near the camps should be kept free from vegetation and should be oiled at least once a week. People should be instructed not to allow water to collect in tins, pots and such vessels in their huts or in the vicinity and any failure to carry out instructions should be severely dealt with.

When an undue prevalence of malaria is anticipated or is in existence a plentiful supply of quinine both for treatment and for pre-phylaxis should be maintained.

(v) **Relapsing Fever** :—The germ which produces relapsing fever is spread by the bite of the louse. Personal cleanliness, especially that directed towards the destruction of lice, is the most important preventive measure. Persons harbouring lice should have their hair cropped. If there is any objection to cropping, kerosene oil or vinegar (Kadi) should be rubbed into the hair, which should then be combed with a fine comb. The clothing should be immersed in boiling water for ten minutes and then dried in the sun. If an epidemic of relapsing fever occurs, a sufficient quantity of salvarsan should be obtained for the treatment of patients.

10. The question of medical supervision has been referred to in paragraphs 7 and 8 supra. It is advisable, as has already been stated that a medical officer with a small dispensary should be attached to each large gang or set of gangs of workmen. A weekly report should be submitted by the Officer in charge of the dispensary to the District Medical Officer who should effect regular supervision of the work done by the former.

11. **Duties of the Superintending Engineer** :—It will be the duty of the Superintending Engineer to see that all orders connected with the health of the camps are duly carried out. Contractors in charge of gangs of mazdoors should be compelled to see that all orders laid down by officers of the Medical and Public Health Departments are duly carried out.

12. Cost of sanitary measures to be debited to contingencies of Estimates.

Any reasonable outlay for such temporary shelter as may be needed for bodies of work people of considerable magnitude; and the marking out, clearing and draining of their temporary station; also for entertaining temporary establishments to look after the latrines, policemen, and hospital establishments, will be authorized by the local Government as forming part of the contingent outlay on the work under execution.

(G.O.Ms.No. 1333, W., Dt. 24-9-1926 and No. 129, W., Dt. 19-1-1927)

### APPENDIX XIII

#### Form of Agreement for Adoption in cases in which Government Buildings are leased out to private individuals

THIS INDENTURE MADE the ..... day of ..... 19 ..... BETWEEN HIS EXCELLENCY THE GOVERNOR OF A.P., hereinafter called the '*Lessor*' (which expression shall where the context so admits include his successors in office and assigns) of the one part and ..... residing at ..... and carrying on business as ..... hereinafter called the '*Lessee*' (which expression shall where the context so admits include his heirs, executors, administrators, legal representatives and assigns) of the other part WITNESSETH as follows

1. In consideration of the rent hereby reserved and of the covenants by the Lessee herein contained the Lessor demises unto lessee ALL that piece or parcel of land together with the building and premises known as situate in the Registration sub-district of in the Registration district of ..... bearing S.No ..... for the term of ..... years from the ..... day of ..... 19 ..... PAYING therefor in advance the monthly rent for Rs ..... clear of all deductions the first of such payments to be made on the ..... day of ..... 19 .....

2. The Lessee covenants with the Lessor as follows :—

(1) To pay the reserved rent on or before the 1st day of each month in advance and in manner aforesaid.

(2) To bear pay and discharge all existing and future taxes, charges, assessments and outgoings payable in respect of the said premises.

(3) To keep the exterior and the interior of the demised premises and all additions thereto and the boundary wall and fences thereof and the drains, soil and other pipes and sanitary and water apparatus and electric fittings and fixtures thereof in good and tenantable repair and condition.

(4) Not to make or permit to be made under any circumstances any alterations in addition to the demised buildings without the previous consent in writing of the Lessor or by the Executive Engineer for the time being of ..... division (hereinafter called the Executive Engineer) PROVIDED ALWAYS that if the lessee is permitted to make any alterations by the Lessor or the Executive Engineer the Lessee shall not claim nor will he be entitled to any set-off or diminution of the reserved rent therefor and he shall not be entitled to any compensation therefor.

(5) To permit the Lessor and his authorized officers or agents with or without workmen or others at all reasonable times on giving one day's previous notice to enter upon the demised premises and to view the condition thereof and upon notice being given by the Lessor or his authorized officers to repair within one month from the service of the notice in accordance therewith.

(6) To use the demised premises only as a....and not for any purposes of trade.

(7) Not to assign underlet or part with the possession of the demised premises or any part thereof without first obtaining the written consent of the Lessor or his authorized officers.

(8) To yield up the demised premises with all fixtures and additions thereto at the determination of the tenancy in good and tenantable repair and condition in accordance with the covenants herein contained.

3. The Lessor covenants with the Lessee as follows

(1) That the Lessee paying the rent hereby reserved and observing and performing the several covenants and stipulations herein on his part contained shall peaceably hold and enjoy the demised premises during the said term without any interruption by the Lessor or any person rightfully claiming under or in trust for him.

(2) To carry out all repairs to main walls, roof and foundations due to fair reasonable wear and tear and the decision of the Executive Engineer as to the necessity for such repairs shall be, final.

4. PROVIDED ALWAYS and it is hereby expressly agreed by and between the parties hereto as follows:

(1) If the rent hereby reserved or any part thereof shall be unpaid for 14 days after becoming payable (whether formally demanded or not) or if any covenants on the Lessee's part therein continued shall not be performed or observed or if the Lessee or other person in whom for the time being the term hereby created shall be vested shall become insolvent then and in any of the said cases it shall be lawful for the Lessor or his authorized officers at any time hereafter to re-enter upon the demised premises or any part thereof in the name of the whole and thereupon this demise shall absolutely determine but without prejudice to the right of action of the Lessor in respect of the breach of any of the Lessee covenants herein contained.

(2) If either party shall desire to determine the present demise and shall give to the other party three calendar months previous notice in writing of such his desire then immediately on the expiration of the three calendar months, the present demise and everything herein contained shall cease and be void but without prejudice to the remedies of either party against the other in respect of any antecedent claim or breach of covenant.

(3) Provided that in addition and without prejudice to the other rights and remedies of the Governor, the Government shall be entitled to recover any sum that may from time to time be due and payable by the lessee as if it were as arrear of land revenue.

IN WITNESSETH whereof ..... acting on behalf of and by the order and direction of His Excellency the Governor of Andhra Pradesh ..... and ..... have hereunto set their hands and seal the day ..... first above written.

SIGNED, sealed and delivered by the above named in the presence of .....

SIGNED, sealed and delivered by the above named in the presence of .....

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## APPENDIX XIII-A

### **Form of Agreement for adoption in cases in which Buildings belonging to Private Parties or Local bodies are leased by Government for occupation by their Officers or Offices**

THIS IDENTURE made the ..... day of ..... 19 ..... between ..... son of ..... residing at (hereinafter called the “*Lessor*” which expression shall where the context so admits include his heirs, executors, administrators, legal representatives and assigns) of the one part and HIS EXCELLENCY THE GOVERNOR OF A.P. (hereinafter called ‘the *LESSEE*’ which expression shall where the context so admits includes his successors in office and assigns) of the other part WITNESSETH as follows:

1. The Lessor hereby agrees to let and the Lessee agrees to take ALL THAT piece or parce of land with the dwelling house and buildings and electric installation herein particularly mentioned and described in the schedule herein under written commonly called or known as ..... with the appurtenances thereto belonging or usually held or enjoyed therewith for the term of ..... years commencing from the ..... day of ..... one thousand nine hundred and ..... at the monthly rent of Rs ..... such rent to be paid clear of all deductions except taxes, rates, assessments, the cost of repairs and the expenses that may be paid by or on behalf of the Lessee in case of default on the part of the Lessor as hereinafter provided.

2. The Lessee agrees with the Lessor:

(i) To pay the said rent on or before the fifteenth of each and every month in arrears.

(ii) To pay in addition to the said rent the municipal taxes due on the said premises for the period of lease.

(iii) At the expiration or sooner determination the said term to deliver up the said premises PROVIDED ALWAYS that if and whenever and part of the said rent shall be in arrears for thirty days after the same shall have been legally demanded in writing or if and whenever there shall be any breach of any of the Lessee’s agreements herein contained the Lessor may enter upon any part of the said premises in the name of the whole and thereupon the agreement shall determine.

3. The Lessor agrees with the Lessee—

(i) that the Lessee paying the rent hereby reserved except as aforesaid and performing and observing the several agreements by the Lessee herein contained may peacefully hold the said premises during the said term without any interruption by the Lessor or any person claiming under him and without liability for damage caused by fire if and to the said premises.

(ii) To pay all existing and future taxes, rates, assessment except municipal taxes due for the period of lease and other out going for the time being payable in respect of the said premises.

(iii) To well and sufficiently repair and keep in good and habitable state and condition whenever called on by the Lessee or by the Executive Engineer ..... division (hereinafter called the Executive Engineer) to do so and at the Lessor’s own expense the

exterior and interior of the said premises hereby demised and all additions thereto and the boundary wall and fences thereof and the drains soil and other pipes and sanitary and water apparatus and in particular (subject as hereinbefore provided) at his own cost and expense to maintain an electric installation consisting of such number of lamps as in the opinion of the Executive Engineer ..... shall be sufficient to properly light the demised premises and at least ..... fans.

(iv) If the Lessee shall desire to determine the present demise and shall give to the Lessor three calendar months previous notice in writing of such desire and shall up to the time of such determination pay the rent and perform and observe the covenants on his part hereinbefore contained then immediately on the expiration of such three calendar months the present demise and everything herein contained shall cease and be void but without prejudice to the remedies of either party against the other in respect of any antecedent claim or breach of covenants.

(v) That in the event of any officer or servant of the Lessee in occupation of the said premises during the period of the said tenancy requiring any structural alterations in or additions thereto the Lessor will not make or permit the same to be made without the consent in writing of the Lessee being first had and obtained and any enhancement of rent which the Lessor may demand in consequence of such alterations and additions being first agreed to.

(vi) That the Lessor will on the written request of the Lessee made three calendar months before the expiration of the term hereby created grant the Lessee a lease of the demised premises for the further term of ..... years and containing like covenants and proviso as are herein contained including the present covenant for renewal.

4. PROVIDED ALWAYS and it is hereby expressly agreed and declared by and between the parties hereto that in case the Lessor shall for one month after notice in writing given by the Lessee or the Executive Engineer ..... make default in respect of the said repairs or the maintenance of the said electric installation or in payment of any such taxes, rates, assessments or other outgoings and deduct the expenses of such repairs and works or such payments as the case may be out of the rent which shall then be or hereafter shall become payable under or by virtue of these presents.

IN WITNESS whereof the Lessor and ..... acting on behalf of and by the order and direction of His Excellency the Governor of A.P. have hereunto set their respective hands and seals the day and year first above written.

The schedule above referred to ..... House and ground bearing municipal door No ..... situate in ..... bounded on the north by ..... on the east by ..... on the east by ..... on the west by ..... and on the south by ..... comprised in Collector's Certificate No ..... bearing old Survey No .....

Re-survey No. ....

SIGNED, sealed and delivered by the above named in the presence of .....

SIGNED, sealed and delivered by the above named in the presence of .....

\_\_\_\_\_

## APPENDIX XIII-B

### Form of order of grant of all kinds of Government lands in charge of the Public Works Department for temporary occupation for agricultural purposes

The land specified in the schedule is hereby granted to ..... for temporary occupation for a period of ..... years commencing from ..... subject to the following conditions to which the aforesaid granted has agreed:

(1) The grant is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of the limits of authority delegated to the officers sanctioning the grant or that there was an irregularity in procedure. Cancellation on any of these grounds may be ordered by any authority to whom the sanctioning authority is administratively subordinate.

(2) In the event of such cancellation of the grant, the grantee shall not be entitled to compensation for any loss caused to him by the cancellation.

(3) The grantee shall pay the sum of Rs ..... equivalent to ..... months charge as and for security for the fulfilment and observance by him of the conditions contained in the grant. The sum so deposited shall be liable to be forfeited to the Government under the orders of the assigning authority in the event of failure by the grantee to fulfil and observe any of the conditions of the grant.

*Note* :—The amount of deposits should vary according to the period of the grant, one month's charge being demanded for a grant of three months, two months, charge for a grant for six months, three months, charge for a grant for one year and six months, charge for a grant exceeding one year.

(4) The grantee shall, so long as the grant be in force, pay clear of all deductions a sum of ..... for credit to the general revenues of the State and a further sum of on account of rates, taxes, assessments and outgoings payable by the Government to a municipality as a result of his occupation of the land. The consolidated charge shall be payable to the Government in advance annually/monthly the first of such payments to be made on the day ..... and the subsequent annual/monthly payments on the corresponding day of the succeeding years/months.

(5) In the event of the municipality varying its demand, the assigning authority shall be at liberty to revise without notice, the second part of the charge referred to in condition (4) as the sum payable by the grantee on account of taxation by the municipality and on such revision any balance shall become immediately payable by the grantee.

*Note* :—In the case of lands in non-municipal areas, conditions (4) and (5) should be replaced by the following conditions

“The grantee shall so long as the grant be in force pay in advance to the Government annually/monthly a sum of Rs ..... clear of all deductions, the first of such payments to be made on the ..... day of ..... and the subsequent annual/monthly payments on the corresponding day of the succeeding years/months”.

(6) The grantee shall not use the lands or suffer it to be used except for the purpose for which it is granted.

(7) The land shall not be used for political meetings.

(8) The grantee shall permit the officers and servants of the Government with or without workmen at all times to enter upon the land aforesaid to view the condition and state thereof.

(9) The grantee shall not assign or underlet the benefits arising under this grant for any part thereof without the previous written permission of the assigning authority.

(10) (a) The Government reserve to themselves the rights to all sandalwood trees and their branches and roots which exist at the time of the grant (which are described in the schedule attached) as well as those which may grow subsequently on the lands granted and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land in question and dispose of them at their pleasure. The grantee shall not be entitled to cut or remove them or cause them to be cut or remove without the permission of the Executive Engineer;

(b) the grantee shall take all reasonable measures to the satisfaction of the assigning authority for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land

(c) the grantee shall take steps to see that the remarks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with ; and

(d) in the event of the infringement of, or failure to observe any of the conditions mentioned in (a), (b) or (c) above, the grantee shall pay to the Government such compensation as is determined, by the assigning authority for any loss or damage caused by such infringement or failure on his part. The Government shall also at liberty to cancel the grant and re-enter on the land and the whole land shall thereupon vest absolutely in the Government. In the case the grantee shall not be entitled to any compensation whatever.

*Note* :—When lands are granted in the districts noted below, the conditions (a) to (d) above relating to the reservation of sandalwood trees should be scored out:

Godavari East and West, Nellore, Cuddapah, Guntur, Krishna, Visakhapatnam.

(11) The grantee shall not erect any buildings, fences or structures of a permanent or a temporary character on the land without the previous written sanction of the assigning authority.

(12) The grantee shall not cut any live trees without the previous permission of the assigning authority. The withered and wind fallen trees shall also be the property of the Government and shall be handed over to the Public Works Department Supervisor.

(13) The sale-proceeds of withered and wind-fallen trees and those cut under condition (15) shall be credited to the Government.

(14) The grantee shall have no rights whatsoever to any trees standing on the land or to other usufruct.

(15) The usufruct of the trees may be leased out in auction by the officers of the Government according to the practice obtaining in the district and the grantee shall allow the right of passage to persons to whom the usufruct of the trees is so granted by the Government.

(16) The grantee shall not, without the previous written sanction of the assigning authority, permit any person to use the land except as provided in condition (6).

(17) The grantee shall, on the termination or revocation of this grant, restore the said land to the Government in as good a condition as is consistent with the foregoing conditions.

(18) The grantee shall be answerable to the Government of A.P. for all or any injury or damage done to the said land and other Government property thereon except as is permitted by the foregoing conditions.

(19) The Government may revoke the grant wholly or in parts if the sums specified in condition (4) above or any part thereof shall remain unpaid for fifteen days after they have been repayable whether formally demanded or not, or if the grantee shall have broken any of the conditions of the grant herein contained and assume control or otherwise dispose of all or any part of the land and any buildings, fences and structures hereon and the grantee shall not be entitled to any compensation therefor.

(20) If the amount specified in conditions (4) and (5) above or any part thereof is in arrear it shall also be competent for the assigning authority to recover the same from the grantee as an arrear of land revenue.

(21) The grant hereby given may be revoked by the assigning authority after giving..... months, notice in writing and by the Government or Chief Engineer without notice in an emergency (the said Government or Chief Engineer being the sole judge of the emergency) and shall be terminable by the grantee by giving to the assigning authority ..... months notice in writing but without prejudice to any right of action or remedy of the assigning authority in respect of any antecedent breach of any of the foregoing conditions. The grantee shall not in case of such revocation or termination be entitled to any compensation in respect of any improvements effected by the grantee to the land or for the loss caused by the interruption of his occupation.

(22) In the event of termination of the grant under conditions (19) or (21) the Government shall at liberty to levy proportionate rental up to the date of such termination.

(23) The sum of Rs ..... deposited by the grantee under condition (3) or such portion thereof as may be returnable to him shall be returned to him on the expiration or sooner termination of the grant.

(24) If any dispute or difference shall at any time hereafter arise between the Government or their officers on the one part and the grantee as to the rights, duties or liabilities of either party in respect of any matter or things relating to or arising out of the grant or the construction or the meaning of all or any of the provisions herein contained, the said dispute or difference shall be referred for settlement to the arbitration of the Chief Engineer and his decision shall be final.

(25) The grant includes all rights, easements and appurtenances belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and customary rights of Government and the public in roads and paths and rivers, streams and channels running through or bounding the land and the right of Government to the mines and quarries, subjacent to the land are however reserve and are in no way affected by the grant.

**SCHEDULE**

District (1)	Taluk (2)	Town or Village (3)	Ward No. & Block No. (4)	Serial No. (5)	Area (6)	Boundaries (7)
					Acres.	North South East West

In witness whereof acting for and on behalf of and by the order and direction of His Excellency the Governor of A.P., have hereunto set my hand this ..... day of ..... 19 .....

Place :

Date :

**Signature and designation  
of the signing authority.**

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## APPENDIX XIII-C

### Form of Order of Grant of all kinds of Government Lands in charge of the Public Works Department for Temporary Occupation for Non-Agricultural purposes

The land specified in the schedule is hereby granted to ..... for temporary occupation for a period of ..... years/months commencing from ..... subject to the following conditions to which the aforesaid grantee has agreed:

(1) The grant is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to mis-representation of fraud or in excess of the limits of authority delegated to the officer sanctioning the grant or that there was an irregularity in the procedure. Cancellation on any of these grounds may be ordered by any authority to whom the sanctioning authority is administratively subordinate.

(2) In the event of such cancellation of the grant, the grantee shall not be entitled to compensation for any loss caused to him by the cancellation.

(3) The grantee shall not transfer to any other person the rights hereby conveyed to him, without the previous sanction of the authority which has made the grant.

(4) The grantee shall pay the sum of Rs ..... equivalent to ..... month's charge as and for security for the due fulfilment and observance by him of the conditions contained in the grant. The sum so deposited shall be liable to be forfeited to the Government under the order of assigning authority in the event of failure by the grantee to fulfil and observe any of the conditions of the grant.

(5) The grantee shall so long as the grant be in force, pay clear of all deductions a sum of Rs ..... for credit to the general revenues of the State and a further sum of Rs ..... on account of rates, taxes, assessments and out-going payable by the Governments to the Corporation/Municipality as a result of his occupation of the land. The consolidated charge shall be payable to the Government in advance annually/monthly, the first of such payments to be made on the ..... day of ..... and the subsequent annual monthly payments on the corresponding day of the succeeding years/months.

(6) In the event of the Corporation/Municipality varying its demand, the assigning authority shall be at liberty to revise, without notice, the second part of the charge referred to in condition (5) as the sum payable by the grantee on account of taxation by the Corporation-Municipality and, on such revision any balance due shall become immediately payable by the grantee.

**Note** :—(i) In the case of grants in non-municipal areas, conditions (3) and (6) should be replaced by the following conditions

The grantee shall, so long as the grant be in force, pay in advance to the Government annually/monthly a sum of Rs ..... clear of all deductions the first of such payments to be made on the ..... day of ..... and subsequent annual/monthly payments on the corresponding day of the succeeding years/months.

(ii) The amount of deposit referred to in condition (4), should vary according to the period of the grant, one months' charge being demanded for a grant for three months, two

months' charge a grant for six months, three months' charge for a grant for one year and six months' charge for a grant exceeding one year.

(7) The grantee shall not use the land or suffer it to be used except for the ..... purpose of the .....which are the following.

(8) The grantee may erect ..... in accordance with the plan (s) annexed.

(9) The land and the buildings thereon shall not be used for political meetings.

(10) The grantee shall not except as provided in condition (8) erect any buildings, fences or structures of a permanent or temporary character on the land without the previous written sanction of the assigning authority. The grantee shall permit the assigning authority or other officers or others authorized by him on his behalf with or without workmen at all reasonable times to enter upon the land and all sheds, buildings or other structures built or erected with reference to condition (8) above and to view the state and condition thereof and upon notice being given by the said assigning authority or other officer authorized on his behalf to repair in accordance therewith.

(11) The grantee shall maintain the said land in a clean and a sanitary condition to the satisfaction of the assigning authority and, shall also maintain the structures, if any, erected thereon as aforesaid, in good substantial repair to the satisfaction of the assigning authority.

(12) The grantee may uproot, cut down or destroy such trees plants, groves or brushes, as in the opinion of the assigning authority it is necessary uproot, cut down or destroy to make the land fit for the purposes of ..... and may take them free of charge and dispose of them in any manner he likes. The grantee may level the ground by removing embanked pathways and filling up low-lying places on the land so as to make the ground fit for the purposes of ..... and may now and then cut the grass thereon and dispose of the same in any manner he likes and do any work on the land which in the opinion of the assigning authority is necessary for such purposes.

**Note** :—If the trees are valuable it may be stipulated that the tree growth cut should be handed over to the assigning authority or any officer by him in this behalf for disposal.

(13) The grantee shall remove immediately any unauthorized building, fence or structure on receiving notice from the assigning authority and in default or immediate compliance with any such notice, the assigning authority shall have power to remove the same and the grantee shall, upon demand made by or on behalf of the assigning authority, pay the cost of removal and the cost of storing the materials removed and take delivery of the same. The grantee shall have no claim to any materials removed under these conditions which shall not have been taken delivery of or the cost of removal and storage of which shall not have been paid by the grantee on demand as aforesaid.

(14) The grantee shall not, without the previous written sanction of the assigning authority, permit any person to use the land or any structure thereon or any portion of the land or structure except as provided in condition (7).

(15) The grantee shall, on the termination or revocation of this grant, restore the said land to the assigning authority in as good a condition as is consistent with foregoing conditions.

(16) The grantee shall be answerable to the Government of A.P. for all or injury or damage done to the said land and other Government property thereon except as is permitted by the foregoing conditions.

(17) The assigning authority may revoke the grant wholly or in part if the charge specified in condition (1) or any part thereof shall remain unpaid for fifteen days after it has become payable whether formally demanded or not, or if the grantee shall have broken any of the conditions of the grant herein contained and assume control or otherwise dispute of all or any part of the land and any buildings, fences and structures thereon and the grantee shall not be entitled to any compensation therefor.

(18) If the amount specified in condition (5) above or any part thereof is in arrear, it shall also be competent for the assigning authority to recover the same from the grantee as an arrear of land revenue.

(19) The grant hereby given may be revoked, by the assigning authority after giving ..... month's notice in writing and by the Government or the Chief Engineer without notice for emergent reasons (the said Government the Chief Engineer being the sole judge of the emergency) and shall be terminable by the grantee by giving to the assigning authority ..... month's notice in writing but without prejudice to any rights of action or remedy of the assigning authority in respect of any antecedent breach of any of the foregoing conditions. The grantee shall not in case of such revocation for termination be entitled to any compensation in respect of any buildings, fences and structures on the land or of any other improvements effected by the grantees to the land but he may, before the revocation of termination of the grant, takes effect or if the grant is revoked without notice, within such time as may be allowed by the assigning authority in that behalf, remove such buildings, fences and structures.

(20) The sum of Rs ..... deposited by the grantee under condition (4) or such portion thereof as may be returnable to him, shall be returned to him on the expiration or sooner termination of grant.

(21) The grant includes all rights, easements and appurtenances belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and the customary rights of Government and the public in roads and paths and rivers, and channels running through or bounding the land and the right to Government to the mines and quarries, subjacent to the said land are, however, reserved and are in no way affected by the grant.

#### SCHEDULE

District (1)	Taluk (2)	Town or Village (3)	Ward No. & Block No. (4)	Serial No. (5)	Area (6)	Boundaries (7)
					Acs.	North South East West

In witness whereof acting for and on behalf of and by the order and direction of His Excellency the Governor of A.P., have hereunto set my hand this ..... day of ..... 19 .....

Place :  
Date :

**Signature and designation  
of the signing authority.**

—————  
**Annexure**

Plan(s) if any (to be specified)

—————  
**APPENDIX XIV**

**European Cemeteries and Tombs**

*(Not Printed)*

## APPENDIX XV

### Destruction of Records

(Vide Paragraph 84 of this Code)

#### A.—RULES

1. The Ellis-Tomkins system contemplates the maintenance of sub-files for papers which can suitably be dealt with separately from the main file, sub-files should therefore be opened whenever possible and closed as soon as their particular subjects are disposed of. Main files should also be closed as soon as the main subject is disposed of. For example, the main file regarding the construction of a new work should be closed when the completion report is sent in. Matters not immediately connected with the construction of the works, which may arise for orders during construction should be dealt with in the sub-files which should be closed when the side issues with which they deal are disposed of. Subsequent transactions with regard to the work which arise after the main file is closed should be dealt with in separate sub-files.

2. When a file or sub-file is closed, the Manager or the Accountant or the Head Draftsman or the Personal Assistant, as the case may be, should look through it and extract any papers which should be retained permanently when the main subject of the file or the sub-files is not one for permanent retention. The papers so extracted will be made into a separate sub-file, and retained as such.

3. Files which are to be retained permanently will be stamped “R” Files which are to be destroyed after a certain period of years will be stamped “D” in the year in which they are to be destroyed being specified. The year will be that in which the file will fall for destruction according to its main subject as classified in the list in Section B attached to these rules.

4. Files which were closed finally before the 1st April, 1921 will be marked for retention or destruction in accordance with their main subject. No attempt should be made to split up these files. They should be ‘stacked separately’, the Record-keepers in each office should prepare lists of them, as he can find time, in the form attached to these rules and submit the lists for approval to the head of the office.

5. File should be arranged in the record-room as follows :—Files and sub-files bearing the same file number will be arranged together, those that are to be retained being put first and then in order chronologically according to the year of destruction those that are to be destroyed.

6. Registers, statements, accounts, etc., which are closed should be scrutinized by the head of sections concerned and the period of their retention should be clearly marked on them in accordance with the list in section B and stamped “R” or “D” in .....” as directed in Rule 3. In any case where the orders in the list in Section B are not clear, the head of the section concerned should take the orders of the head of the office in regard to the period of their retention. The registers, statements, accounts, etc., should be kept separate in the Record room and destroyed as they fall due for destruction.

7. The stamping of files, registers, etc., enjoined in Rules 3 and 6 should be initialled and dated by the head of the section concerned.

8. In February each year the Record-keeper should pick out all the files, registers, statements, accounts, etc., which are marked for destruction in that year and should prepare a list of them and submit it to the head of the office for approval through the Head Clerk who will be responsible for the proper scrutiny of the list. When the list is approved, the Record-keeper should destroy the files, registers, statements, accounts, etc., and certify on the list that he has done so. The list should, then be filed and kept permanently.

## **B.—LIST SHOWING THE PERIODS UP TO WHICH RECORDS SHOULD BE PRESERVED**

### **Circle and Divisional Offices**

A.B.C. statement (annual—Three years)

Absentee statements (monthly—To retained be permanently)

Acquittance rolls for pay and allowances (other than traveling allowance) when maintained separately from pay bills—Six years.

Administrative reports—Three years.

Administrative Accounts—Printed copies of—Three years.

Advance Sanctioned to—One year.

Advances to construct buildings—Three years after the advance has been fully recovered.

Advances to purchase conveyances—One year after the advance is fully recovered

Advertisement Charges—Sanction to—One year.

Advice to transfer debit and credit—Three years.

Age Fifty-Five years' statement—Three years.

Agreements books—Five years after completion of the work or till audit objections, if any, relating to it are cleared to the satisfaction of audit authorities or have been reviewed by Public Accounts Committee whichever is later.

Agreements relating to lease for cutting canal, shrubs, gathering fruit from trees, etc.—  
Twelve years from the date of their terminations, if no suit is threatened or pending in connection therewith.

Agreements—Cases of delay of more than one month and more in the completion of—

For works costing Rs. 10,000—Statement showing—One year.

Allotments—Application for modifications of—One year.

Allowances—Sub-division allowances—One year.

Amanath Register—Six years from the date of the last entry in the register.

Appointments—Three years.

Appropriations Register—Three years.

Architectural remains—Report on—To be retained permanently if one objects of interest; otherwise to be destroyed after three years.

Army list (quarterly), Indain—One year.

Arrears list—One year.

- Assignment deeds—Succession certificates—Powers of attorney, etc., generally connected with making payments for works done—Ten years.
- Assumption of charge—Sanctions to—One year.
- Attachment of salaries of the members of the Public Works Department—to be retained for one year after the decretal amounts have been paid up.
- Attachments of bills of contractors—To be retained for one year after the decretal amounts have been paid up.
- Attendance register—One year.
- Audit notes—Should be filled with the monthly accounts and destroyed with them.
- Audit of amounts due to piece-workers and others—One year after the outstandings have been finally settled.
- Audit slips and correspondence connected therewith—Three years after submission of the completion report of the work to which they relate.
- Award statements—Correspondence regarding land—Three years.
- Bill register showing progress in check and Payment of—Three years.
- Boats, Punts, etc., register—Three years.
- Boat notes—Counterfoils and triplicate copies to be preserved in the supplying division like measurement books i.e., for ten years after the completion of the work for which supplies are recorded in the boat notes. Duplicate copies to be preserved in the receiving division for three years.
- Boiler licenses—One year after the grant of a fresh licence.
- Breaches in canals and distributaries—Five years.
- Bridges and Roads—Important—Return of—Three years.
- Budget appropriations and re-appropriations—One year.
- Budget—Three years.
- Budget estimate of an office—Detailed—Five years.
- Budget—Office copies of—sent by Divisional Offices—Three years
- Budget—Educational—Completion Certificates for—Three years.
- Buildings—Educational—Return of expenditure on—One year.
- Buildings—Non-residential and Residential—Annual return of repairs—Estimate—Three years.
- Buildings—Purchase and sanction to execution of works—to be retained permanently.
- Buildings—Register of—To be retained permanently.
- Buildings—Sale or demolition of—To be retained permanently.
- Buildings—Rents of—Three years
- Buildings—Rent—Data statement of—To be returned permanently.
- Buildings—Rents—Data Statements—Correspondence relating—Five years.

- Buildings—Hire of—Three years.
- Buildings—Transfer of—Three years.
- Buildings—Certificate of absence—Three years.
- Buildings—Occupation of rest-house and other—One year.
- Buildings—Extracts of the register of—One year.
- Buildings—Capital and Revenue Accounts of Buildings let—To be retained permanently.
- Camp Receipt Register—Three years.
- Camp Despatch Registers—Three years.
- Camp—List of papers sent to—One year.
- Canals—Closure of and correspondence relating thereto—To be retained permanently.
- Cars—Annual inspection of—One year.
- Cash Books of Executive Engineers and other issuing officers—Twenty years.
- Cash abstract book—Three years.
- Cash extracts—Twenty years.
- Cash balance statement—Three years.
- Casual leave—Corresponding regarding—One year.
- Cattle—Impounding of—One year.
- Cemeteries and tombs—Reports on the condition—Three years.
- Cemeteries—Erection and endowments—To be retained permanently.
- Census Correspondence—Three years.
- Cheque—Indent for books—One year.
- Cheque—Register of Drawn—Five years.
- Cheque—Counterfoil books—Five years.
- Cheque—Correspondence regarding dishonouring of—One year.
- Circle Map—Corrected up to the end of—Return of—Three years.
- Circulars—To be retained permanently.
- Civil Service Regulations—To be sold as waste paper on receipt of new editions.
- Classification of fields, dry and wet—To be retained permanently.
- Clerks Recommended for trial for Divisional Accounts—List of—Three years. Codes—
- Public Works Department Codes—To be sold as waste paper on receipt of new editions.
- Commander-in-Chief—General order by—To be retained permanently.
- Completion reports—Office copies—Three years.
- Completion reports of works which are filed in the offices of final record—To be retained permanently.

Confidential sheets, reports and records relating to officers and subordinates of the department after the date of their retirement, resignation, removal or dismissal—Five years.

Confidential sheets, reports and records relating to deceased officers and subordinates of the department after the date of their death—One year.

Contingent bills and vouchers—Three years.

Contingent charges—Sanction to—One year.

Contingent expenditure—Register of—Five years.

Contract agreements—Five years after final payment is made and the completion report sent or till such time, audit objections, if any, are cleared to the satisfaction of the audit authorities or have been reviewed by Public Accounts Committee, whichever is later”.

Contractors’ ledger—Five years after claims have been finally settled.

Contractors’ ledger—Extracts from—One year after final settlement.

Contractors’ complaints and civil suits—Three years.

Contracts—Indian Stores Department—Annual rate contracts—Five years or till such time audit objections, if any, are cleared to the satisfaction of audit authorities or have been reviewed by Public Account Committee, whichever is later.

Conveyance allowances—Sanction to—One year.

Correspondence connected with the sale, audit, etc., of miscellaneous properties—Five years after the expiry of the concerned leases if no dispute is pending at the end of the period. If any dispute is pending at the end of the period, the records will be kept for such longer period as may be necessary.

Credit—Applications for letters of—One year.

Criminal charges for injury to irrigation works, etc.—Three years.

Cultivation—Unauthorized—Ten years.

Day books—Three years.

Demarcation stones on channels—Payments for—Three years.

Deposits—Register of security—Five years.

Despatch Register—Five years.

*Note* :—Registers of 1918 to 1927 will be retained permanently and 1928 to 1931 will be retained for three years.

Despatch number books—Abstract—One year.

Descriptive memoirs—Correspondence regarding submission of—One year from the date of publication of the memoirs.

Diary books—Three years.

Diary bundles, i.e., unimportant papers for which there is no file number—Three years.

Directories—To be sold as waste papers after Three years.

Distribution returns division office copies—Three years.

Distribution returns classified list, etc.—To be retained permanently in the Chief Engineer's Office and for five years in other offices.

Division—Creation and closing of—Three years.

Divisional Accounts—Corresponding relating to—Three years.

Duplicate keys of cash chests—Deposit in Treasury correspondence—One year.

Electric Installations, etc., Maintenance charges for the return of—Three years.

Embankments—Annual inspection note of river—Five years.

Encroachments—Correspondence and B. memoranda—Ten years.

Endowed monuments—Report on—Three years.

Establishment—Annual return—{books of establishment)—Thirty-five years.

Establishment—Retrenchment and Reduction to be retained permanently.

Establishment, temporarily—Three years.

Establishment, works—Three years.

Establishment, changes in—Three years.

Establishment, suspension, dismissal, resignation, promotion and reversion—Ten years.

Establishment, increments and fines—Three years.

Estimates—Original—Sanctioned—of all works—To be retained permanently.

Estimates—Register of sanctioned—To be retained permanently.

Estimates files—Ordinary and petty repairs—One year.

Estimates—Return of sanctioned—One year.

Estimates special repairs—Three years.

Estimates—Court of Wards Works—Correspondence relating to the scrutiny of Five years.

Estimates—Zilla Parishad Works received from Chairman of Zilla Parishad—

Correspondence relating to the scrutiny of—Five years.

Estimates—Minor Irrigation Works received from Collectors—Correspondence relating to the security of—Five years.

Estimates—Municipal Works received from Chairman, Municipal Councils—Correspondence relating to the security of—Five years.

Estimates—School buildings works received from the Director of Public Instruction—correspondence relating to the scrutiny of—Five years.

Estimates—Repairs—Abstracts of—Ten years.

Examinations—One year.

Exchange accounts with other departments, etc.—One year.

Expenditure—Statements of monthly progressive expenditure and correspondence relating to any discrepancy in the figures—Two years.

Experimental cultivation—To be retained permanently.

Explosives—Return of—Three years.

Famine correspondence—Three years.

Famine relief works—Board's and Collector's proceedings—Five years.

Fire—Destruction of buildings, etc.,—One year.

Forest produce—Supply of—One year.

Forms—Accounts of—Three years.

Gate Pass Books—One year.

Gazette—"Fort. St. George" Portions containing matters of general interest to be retained; others to be sold as waste paper after Three years.

Gazette—District—Portions containing matters of general interest to be retained; others to be sold as waste paper after three years.

Gazetted Officers—Weekly reports of—One year.

Gazetted Officers—Statement showing the full names of—With information of the district in which they own lands—Three years.

Gazetted Officers—Monthly list and History of Services—To be retained for five years.

Gazetted Officers—Quarterly list—To be retained permanently in the Office of the Chief Engineer (General) and for Five years in the Circle and Division Offices.

General charges—Account books of—Five years.

General number books—One year.

Grant and outlay statements—One year.

Gratuities Records relating to the grant of—To be retained till the date on which the gratuitants would attain their 55th year; or to be destroyed earlier, if the fact of gratuitant's death is known.

Guides—Postal and Telegraph—One year.

Guides—Railway—One year.

Heirs—Correspondence regarding payment of salary and traveling allowance to the—Of the deceased—Five years.

Imprest accounts—Three years.

Imprests—Sanction to drawing accounts and—One year.

Imprest—Extracts—Three years.

Income-tax—Three years.

Indents for Stationery—Three years.

Indents for forms—Three years.

Indents for measurement books—Three years.

Indents for Postage labels—One year.

Inspection—Superintending Engineer's report —Of Divisional Offices—Five years.

Inspection—Executive Engineer's report—of sub-Divisional Offices—Five years.

Inspection—Accountant-General's—Reports of divisional office and connected correspondence—Five years.

Inspection notes on works by Executive Engineer—Three years after completion of the work.

Inspection notes on works costing over Rs. 50,000/- by Superintending and Chief Engineers— To be retained permanently.

Inspection notes on other works—Superintending and Chief Engineers—Three years after completion of the work.

Inspection notes of subordinates and sub-divisional officers—Five years.

Inspection notes—Lands vacant and in charge of P.W.D. quarterly return—Three years.

Inspection bungalow—Correspondence regarding occupation of One year.

Insurance—Postal—Fund correspondence—One year.

Investigation—T.R.S. Progress Reports—Monthly—Three years.

Investigation—T.R.S. Progress Reports—Half yearly—To be retained permanently.

Invoices of M. Books supplied to sub-divisional officers—Three years.

Irrigation—General important questions—To be retained permanently.

Irrigation—Application for supply of canal water—Three years.

Irrigation Conferences—Paper relating to—Two years.

Irrigation—Important minor works handed over to the Revenue Department—Statement of—To be retained permanently.

Irrigation—Investigation of scheme—Quarterly progress reports—Five years.

Irrigation systems—Statement of additions and alterations carried over Head Works—Correspondence, etc.—To be retained permanently.

Jail labour—Supply of—One year.

Journals—Technicals—Ten years.

Kudimaramath—Works—Correspondence relating to recovery from ryots—Three years after the amount has been fully recovered.

Land acquisition Correspondence—To be retained permanently in the Division Office and for three years only in the Circle Office.

Land Register—To be retained permanently.

Land sales of—To be retained permanently.

Land—Leasing out of Public Works Department land—To be retained permanently.

Land—Relinquishment of Public Works Department lands to Revenue Department—Five years.

Land—Temporary occupation of—Five years.

Land—Assistant Engineers and officers of the Indian Service of Engineers—Return of—To be retained till retirement of officers to whom the individual returns relate.

Leave—List of officers requiring—One year.

Leave application—Three years.

Letters issued by the division officers to treasury officers fixing the limit up to which sub-divisional officers can draw on sub-treasuries—Two years.

Levelling books—May be destroyed after ten years from the date of the last entry on completion of the book.

Liabilities—Register of—Three years.

Licence forms and toll tickets—Three years.

Lightning conductors—Three years.

Locks—Daily Traffic Register—Five years.

Local purchase of European stores—Three years.

Losses—Write off of—Three years.

Materials accounts and 7-F accounts—Three years.

Materials supplied—Verified advices of—Three years.

[Measurement books—May be destroyed after ten years from the date of final record in the division office.

Measurement books—Register of—To be retained permanently].

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Measurement Books—Register of review of—Three years.

Measurement Books—Loss of—One year.

Measurement books—Correspondence relating to—Three years.

Medical establishment for projects—Five years.

Memorandum books—Form E.No. 184—One year.

Meteorological results—To be retained permanently.

Miscellaneous objections statement—Should be filed with the monthly accounts and destroyed with them—Three years.

Miscellaneous Returns—Register of—One year.

Modification statement—One year.

Monthly Accounts, office—copies—Three years.

Motor Vehicles plying on Government Roads licencing of correspondence regarding—  
Three years.

Muchilikas—To be retained permanently.

Municipal tanks—Supply of water to—To be retained permanently.

Municipal taxes for Government Building—Three years.

Navigation receipt and charges—Three years.

Nil returns—One year.

Nominal muster roll—Three years.

Non-commissioned officers, birth, death and marriages, etc.—Three years.

Non-Gazetted Officers—Monthly report of—Three years.

Objection statement of items held under objection—Three years.

Objection books—Five years.

Office furniture, tents—Sanction to purchase of—One year.

Offices—Weekly report—Three years.

Order books—One year.

Order communicating sanctions to estimates under the open capital account of Irrigation systems—Till the completion report for the work is recorded.

Pass books—Three years.

Pay—Sanctions to transit and allowances—One year.

Pay—Last pay certificate—Three years.

Pay—Disallowances list of—Three years.

Pay Bill of Government servants for whom no establishment returns are submitted or no service books are maintained—Thirty-five years.

Pay bills and acquittance rolls where these are maintained separately, of inferior Government servants—Forty-five years.

Pay Bills of other classes of Government servants—Six years.

Pay Bill of Gazetted Officers—Six years.

Pension papers—Till the pensioner dies and final payment is made on his behalf.

Office copies of pension papers in Divisional Offices—Five years after retirements.

Pension cases (including the service books and leave accounts attached to them) in which invalid or compensation pensions have been sanctioned—Twenty-five years.

*Note* :—Service books and other papers relating to a claim for a gratuity should be retained until the claimant attains 55 years of age or dies, whichever is earlier, and also until final orders have been passed in the claim.

*Note* :—In regard to service books of Government servants who have been dismissed or discharged or have resigned or died whilst in service, see Rules 14 to 16 of the subsidiary rules under Fundamental Rule 74(a)(iv).

Pensioners' quarterly list—Specially recommended for employment—One year.

Personal files—Three years from the date of retirement or death (whichever is earlier) of the Government servant concerned.

Personal files of clerks, draughtsmen, etc., who have left service—Three years.

Personal register in C.F. 410—Five years from the date of last entry in the register.

Petitions, unimportant—One year.

Piece-work—Agreements—Three years.

Plans for earthwork and repairs to—

(a) Tanks—

- (i) Completed plans five years, if the standards for repairs are the same as those laid down in the Tank Restoration Scheme memoirs.
- (ii) Original plans prepared for sanctioning the Tank Restoration Scheme estimates and deviations from the standards in the Tank Restoration Scheme memoirs— To be retained permanently.
- (iii) Tanks for which no Tank Restoration Scheme memoirs are yet prepared the L.S. and other sheets except the Correction Slip sheets—To be retained until regular Tank Restoration Scheme investigation is completed.

(b) Channels and rivers (including modasal works)—Five years, provided the proposals do not involve any change in standards.

Postage—Account books—One year.

Postal—Returns of and Telegraph buildings—One year.

Printing and other contingent charges—One year.

Productive public works—Programme of—Five years.

Profession-tax—One year.

Progress report—Monthly individual—Five years.

Prosecuting of persons for breach of rules—Three years.

Sanction for—Correspondence regarding.

Provincial objectionable itemic Statement and correspondence relating thereto—One year after all the items—in the statement have been adjusted.

Pumping installations in irrigation—To be retained permanently Works. Qualified persons of the College of Engineering—Printed list of—One year.

Rain and Water Registers—To be retained permanently.

Rainfall returns—Twenty-four years.

Receipt Registers—To be retained permanently.

Receipt registers of abolished sub-divisions—Five years.

Receipt books—One year.

Receipt hand receipt books—To be retained permanently.

Receipt counterfoils of (No. 20—E) books—To be retained ten years.

Receipt, Counterfoils or temporary (P.W.D. 111—15) books—To be retained five years.

Recommendations rools of clerks, draughtsmen, etc.,—So long as the men are in service.

Records—Carriage of office—One year.

Record Racks and Record rooms of Taluk—Three years—And Divisional offices—Report regarding.

Reference—Unanswered Lists—Three years.

- Register of buildings—Extracts from—One year.
- Register of service books—to be retained permanently.
- Register of suspense transaction—Three years.
- Remittance books—Three years.
- Remittances Memorandum of cash—Form F.No. 267—One year.
- Rent—Monthly return of rents recoverable other than from Government buildings—One year.
- Rent—Register of buildings—Three years.
- Reports—Transfers of Section Officers and Executive Engineers and of correspondence relating to additional charge held by them—Three years.
- Requisitions—Counterfoils of—One year.
- Rest-houses—Occupation of—One year.
- Returns—Due from Executive Engineers, etc., Superintending Engineers and from Superintending Engineers to Chief Engineer, etc., List of—One year.
- Returns—Expenditure incurred on maintenance of buildings occupied by civil departments— Three years.
- Returns—Half-yearly—Showing the names of supervisors who know Orriya—One year.
- Returns—Periodical—Due from sub-divisional officers—One year.
- Returns—Periodical—Additions and alterations in the list of competent works of irrigation system during the year—To be retained permanently.
- Revenue—Register of—To be retained permanently.
- River diagrams and discharge calculations—To be retained permanently.
- River diagrams and discharge calculations Return and correspondence relating to—One year.
- River charts—Returns and correspondence relating to—One year. Road—Half-yearly return—Three years.
- Roads—Trunk—Inspection report of Superintending Engineers and correspondence relating to the maintenance estimates received from the Chairmen, Municipal Councils and Zilla Parishads—Five years.
- Roads—New—Completed by Public Works Department—Report on—Three years.
- Routine matters generally—One year.
- Run off observations—To be retained permanently.
- Rushikulya—Poramboke lands commanded—To be retained permanently.
- Rushikulya—Dry lands commanded—To be retained permanently.
- Rushikulya project—Tank—beds and lands under—To be retained permanently.
- Rushikulya—Monthly statement of area irrigated—To be retained permanently.
- Savings Bank Pass book—Three years.

- Schedules of rates and data for different sorts of sub-heads of works—Three years.
- Schedules of work done in workshops—Ten years.
- Service books—Correspondence regarding verification of—To be retained permanently.
- Stationery accounts—Three years.
- Stock—Daily records of the—Issues and receipts in the Public Works Stores—Five years.
- Stocks—Reserve limits—Three years.
- Stock book of stationery articles—To be retained permanently.
- Stock accounts and abstract book—Three years.
- Stores—Indents for English—Three years.
- Stores—Indents for Counterfoils—Three years.
- Stores—Daily records of the stock issues and receipts in the Public Works-Stores—Five years.
- Stores—Return of iron works contracts given to private firms and correspondence—One year.
- Stores—Return of expenditure on stores purchased in England and forecast of expenditure— Five years.
- Students—Engineer and Subordinate—Report on progress of—One year.
- Students—Printed list of qualified—One year.
- Sub-jails—Certificates (annual) of examination—One year or until the next certificate is submitted.
- Suits—Civil—Against Government—Three years from date of decision.
- Summons—Service of—One year.
- Sluices—Orders regarding opening of canal—Distribution of—To be retained permanently.
- Survey reports—Sanctions of Superintending Engineer to—Three years.
- Surveying books relating to periodical surveys of lankas governed by the A.P. Rivers Conservancy Act—To be retained permanently.
- Surveying books—After completion of work.
- Surveying books not relating to lankas—After completion of work.
- Tanks—Railway affecting—To be retained permanently.
- Tanks on patta lands—To be retained permanently.
- Tanks—Progress report on—Restoration scheme works—Three years.
- Tanks—Sale lists of waste and poramboke lands—To be retained permanently.
- Tappal books—One year.
- Tappal challan forms—One year.
- Telephone lines—Canals—Return and correspondence relating to—To be retained permanently.

- Tender—Copies of—One year.
- Tent registers—To be retained permanently
- Tent—Purchase of—One year.
- Tide tables for Indian ports—Three years.
- Toll cash extracts—Three years.
- Toll Tickets Memorandum Book—Counterfoil of—One year.
- Tools and Plant—Daily receipt and issue of—Three years.
- Tools and plant—Purchase and transfer of—Sanctions to—One year.
- Tools and plant—Monthly receipts and issues and balances of—Three years.
- Tools and Plant—Papers relating to—Lending of—To other Departments—One year.
- Tools and plant—Yearly returns—Three years
- Tour programme—One year.
- Traffic returns—Five years.
- Transfer—Acceptance of—Of books debit and credit—Three years.
- Transfer entry book—Three years.
- Transfer entry orders (wite back orders)—Counterfoils of—Three years.
- Transfer Reports of Accounts—Three years.
- Transfer Reports of Sub-divisional Officers—Three years.
- Traveling allowance bills—Disallowance list on—One year.
- Traveling allowance bill and acquittance rolls relating thereto—Three years. Traveling allowance—Sanction of special—One year.
- Traveling journals of Superintending Engineers and Executive Engineers—Three years.
- Treasury—Receipts for payments into—Three years.
- Treasury—Examination of—And grant of certificates—One year.
- Vouchers including those but not submitted to the Accountant-General—Certified copies of—Ten years (or in the case of large projects until five years after the closing of the estimate, whichever is later).
- Sub-vouchers—Three years.
- Warm clothing—Correspondence—six years after supply of clothing.
- Water registers—Supply to municipal tanks and factories—To be retained permanently.
- Water supply (except annual applications which should be kept for three years)—To be retained permanently.
- Water daily returns—One year.
- Water reports—Weekly and tri-weekly—One year.
- Weather telegrams—One year.

Weather charts—Three years.

Work abstract except those for works in progress—Three years.

Work books—To be retained permanently.

Work register—To be retained for ten years subsequent to the completion of the work the expenditure on which is recorded in it.

Works—Applications and orders of sanction for extension of the closing date of works under the old expenditure heads—"49" and "43" and under the present heads "68" "XVII" and "1 8"—To be retained permanently in the offices of final record and for one year in other offices.

Works—Clerk—measured by Executive Engineers—List of—One year.

Works—Completed original works—Ordinary correspondence relating to—Five years from date of completion of works.

Works—Register of—Abstract—Three years.

Works—Estimate copies—Three years.

Works order and estimate books—Ten years.

Workshops—Correspondence with—Regarding repairs and supply of instruments—Three years.

Workshops—Outturn statement and accounts—Three years.

Workshops—Supply of materials from—Three years.

Workshops—Three years after completion of works to which they relate.

*Note* :—The documents for permanent record in connection with a work under construction will be the original sanction and any revision thereof; the plans estimate, and report and the completion report and the final completion plans, if any.

Ordinary annual and petty repairs estimates files may be destroyed after one year, subject to the retention of such information as may be necessary to check the average expenditure on repairs. Special repair estimate files may be destroyed after three years. The registers, statements, etc., should be examined by the Accountant, if they relate to accounts matters and by the Head Clerk in other cases.

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## APPENDIX XVI

### Dutch Auction System

*(Omitted)*

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## Appendix XVII

### Rules Regulating the Payment of Bonus to Contractors

(Vide note to Paragraph 150 of this Code)

1. In the case of work done on the contract based on the lump-sum tender system, see Paragraph 150 of this Code, the contract agree to complete the work generally before a specified date. If the local administrative officer considers that the completion of the work before a certain date would be to the advantage and in the interests of Government but this could not be reasonably excepted under normal conditions, it is permissible to offer the inducement of a bonus. The payment of a bonus should not be recommended if the date fixed for the completion of work is not far in advance of what could be reasonably expected under normal conditions. The provision for bonuses in such cases should be included in the approximate estimates submitted for administrative approval. In submitting the approximate estimate for the approval of Government, the head of the department concerned should among other things explain this reason for recommending the provision of a bonus. It will then rest with Government to decide whether the clear provision should be allowed to stand.

2. When the sanction to an estimate provides for the payment of a bonus, the Chief Superintending or Executive Engineer should, when calling for tenders, notify the conditions which must be fulfilled in order to earn the bonus.

3. When a bonus is proposed, the terms should be specified in a separate bonus agreement in the form given below. The amount of the bonus paid should be charged to the work.

4. (a) No bonus should ordinarily be provided for any work costing less than Rs. 5,000. This limit does not apply to Irrigation works. Otherwise than with the sanction of Government in exceptional cases, the amount of bonus should not exceed 5 per cent of the total value of the work excluding the cost of materials supplied by Government.

(b) Bonus should never be sanctioned in the case of annual or ordinary repair and maintenance works except with the special sanction of the Superintending Engineer.

*Note* :—Executive Engineers and Superintending Engineers are empowered to sanction the payment of bonuses and enter into bonus agreements in respect of parts of a work even though there is no provision for a bonus in the sanctioned estimate, up to the limits of Rs. 50 and Rs. 250 respectively, provided the amount of bonus exceed 5 per cent of the value of the work forming the subject of the bonus agreement, less the cost of Government materials.

5. Executive Engineers should submit with their monthly accounts a statements showing the following details, so as to enable the Audit Office to carefully scrutinize payments of bonus made with reference to the above rules

(i) Number of voucher for the payment of bonus and schedule docket to which attached.

(ii) Amount of bonus.

(iii) Date of completion of work.

(iv) Whether bonus is separately provided for in the estimate sanctioned by competent authority.

(v) Whether a bonus agreement was duly signed by the Contractor prior to his undertaking the work.

Name of work..... No..... of 19..... 19.....

Name of piece worker/contractor .....

Agreement made the ..... day of one thousand nine hundred and ..... between His Excellency the Governor of A.P. (which expression shall where the context so admits include his successors in office and assigns) of the one part and ..... hereinafter called the piece worker/Contractor (which expression shall where the context so admits includes his heirs, executors, administrators and legal representatives) of the other part.

It is hereby expressly agreed by and between the parties hereto as follows:

(1) In the event of the piece worker/contractor fully completing the work (or the balance of the work or the items of work entrusted to him as per a agreement No ..... of ..... ) as detailed in the sanctioned estimate No ..... and plans No ..... and estimated to amount to a total cost of Rs ..... (about) by the ..... bonus of Rs ..... will be paid over and above the sums due on the rates at which he has contracted to do the work.

It is however, a condition that failure to so complete the work, due to any cause whatsoever, entails forfeiture of all title to the above bonus or any part of it.

(2) It is open to the office sanctioning the agreement for work to give an extension of time, as an act of grace, under exceptional circumstances, but it is to be clearly understood that extension cannot be claimed as a right on any ground whatever.

(3) Except, under the provisions of clause (5) below the bonus will under no circumstances be given in part; it must either be fully earned or no bonus will be given.

(4) This bonus agreement may be cancelled and terminated at any time by the Government of A.P. (hereinafter called the Government) if the value of the work turned out at the date of such cancelment bears a less proportion to the value of the whole work than the time which has passed since the execution of the bonus (or, in the alternative, when the above is unsuitable).

(5) This bonus agreement may be cancelled and terminated at any time by the Government if the value of the work turned out at the date of such cancelment is less than that indicated below

(a) Rupees ..... By date .....

(b) Rupees ..... By date .....

(c) Rupees ..... By date .....

(d) Rupees ..... By date .....

(6) If it should be decided for no fault of the piece worker/contractor to terminate the piece work/contract agreement for the execution of the work forming the subject of this bonus agreement before its completion, the contractor will be entitled to the payment of

such proportion and no more of the whole bonus as the value of the work turned out bears to the value of the whole work forming the subject of this bonus agreement.

In witness where of the Superintending Engineer, Circle, Executive Engineer, Division acting on behalf of and by the order and direction (of His Excellency the Governor of A.P. and the piece worker/contractor have hereunto set their respective hands the day and year first above written.

SIGNED by the above named in the presence of  
.....

SIGNED by the above named in the presence of .....  
[G.O.No. 254, Public Works, Dt. 9-2-1938

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## APPENDIX XVIII

Deleted

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## APPENDIX XIX

### Rules regarding the relation of Public Works Officers to Collectors of Districts and other Local Heads of Departments

**Rule 1.** (Rule I deleted as per G.O.Ms.No. 1931, P.W.D. (D-1), Dt. 8-8-1966, vide P.R. Code).

**Rule 2.** The Collector is the administrative head of the District and the assistance and professional advice of the Public Works Department are wholly at his disposal, if required. Any information he may call for should be promptly supplied. The Collector may for any special reason, issue any definite instruction to the Executive Engineer. If the Executive Engineer considers that such instruction is not in the public interests and if time allows, he should send the Collector a statement of his opinion and reasons and ask him to refer the matter to the Superintending Engineer and the Collector should at once do so enclosing a copy of the Executive Engineer's opinion and reasons. If the Superintending Engineer disagrees with the Collector he should forward the case to the Government through the Chief Engineer for orders informing the Collector that he has done so. Otherwise the Collector's instructions shall be complied with.

**Rule 3.** The Collector has the right to propose the construction of new and repairs to existing works and such proposals should be disregarded only for reasons to be recorded and communicated to him by the Superintending Engineer. When forwarding to the Superintending Engineer the budgets submitted by the Executive Engineer the Collector should note the relative urgency of the minor works and repairs relating to the Land Revenue Department. The programme of Minor Works in the Buildings and Roads Branch will be framed by the Board of Revenue for the building works relating to the Revenue Department have regard to the relative urgency of the works required to be executed in the State as a whole and the alterations made during the course of the year will also be directed by the Board. The Superintending Engineer when he receives intimation of his allotments for minor works and repairs, should redistribute them in accordance with the order of urgency indicated by the Collector in the case of repairs and by the Board of Revenue in

the case of minor works. If this order is to be departed from, the Collector should be informed of it and the reasons for the change. The Collector may also make recommendations in regard to other Public Works matter which concern his district and such recommendations shall be duly considered and promptly replied to. The Collector should also be furnished by the Executive Engineer with a copy of quarterly progress report on major works and an extract from the monthly progress report in Form X including all major and minor works of the Land Revenue Department.

**Note** :—In the agency tract of Visakhapatnam and East Godavari, the Agents exercise general control over all works irrespective of the department to which they relate the officers of the Public Works Department will prepare plans and estimates at the request of the officer of the department to which the work relates and forward them to the requisitioning officer who will submit them through the Agent to the Head of the Department.

**Rule 4.** It is desirable that Superintending and Executive Engineers should, as much as possible, consult Collectors and Divisional Officers personally in regard to the Public Works interests and needs of the district and all officers of the Public Works and Revenue Department should co-operate cordially and readily. All proposals for important changes in the distribution of water or in any other branch of the Public Works administration, should be forwarded to the Collector for remarks before submission for sanction to the Superintending Engineer or to Government and the Collector should be furnished with information as to any such changes decided upon before they are carried out.

**Rule 5.** Officers of the Public Works Department will assist the local heads of all departments with advice and information when asked for without delay and in cases which differences of opinion may exist, will discuss the matter fully with them.

—(G.Os.No.W., Dt. 17-9-1934 and No. 2087, W., Dt. 7-11-1934)

## APPENDIX XX

### **Rules for the Construction and Maintenance of Zilla Parishad and Panchayat Samithis and Municipal Roads on Canal and Channel banks**

(Vide paragraph 208-A of the Public Works Department Code)

**Note** :—These rules do not apply to roads on the banks of rivers or tanks.

#### **A.—METALLED ROADS**

Now new roads shall be formed along any canal or channel bank in charge of the Public Works Department without previous permission, in writing, of the Superintending Engineer of the circle, obtained through the immediate supervising authority and the Executive Engineer of the division concerned.

2. The minimum height of such roads above the canal or channel fully supply level shall in each case be laid down by the Public Works Department.

3. No masonry or other works which will let water into or out of the canal or channel shall be constructed, and no such existing work shall be altered, without the previous permission, in writing, or the Superintending Engineer of the circle and the approval by him of the plan of the proposed work.

4. The Public Works Department shall have the right at any time to build, in or under the road, any sluice, culvert, bridge or other work, which may be required in connection with distribution from supply to, or surplus from, the canal or channel. While such work is under construction, the Public Works Department shall, wherever possible, make temporary diversion of the road at the place and on completion of the work, restore the disturbed portion of the road. The clear width of roadway over such structures shall be that given by the Zilla Parishads and Panchayat Samithis concerned to similar works on the same road or other roads of the same class.

5. The roadway over the masonry and other works which belong to the Public Works Department shall be in charge of the Zilla Parishads and Panchayats concerned, but the structures themselves will remain in charge of the Public Works Department.

6. The surface of the road, the inner (canal) slope for one meter (vertical) down from top of the road, the outer slope of the bank with the reservation in Rule 9 below, and all ramps on the outer side of the road shall be in charge of the Zilla Parishads and Panchayat Samithis concerned. The inner slope (except the one meter down from the top of the road) and all ramps and "cattle slopes" on that side shall be in charge of the Public Works Department.

7. All trees, grass, etc., growing on the outside edge and slope of the road shall belong to the Zilla Parishads and Panchayat Samithis concerned. No trees shall be planted along the inner edge without special permission of the Public works Department. No trees shall be planted within 50 metres and no trees of the big family within 100 metres of any masonry work without the previous permission, in writing, of the Superintending Engineer of the circle.

8. The carriage of silt from canal and channel clearances across the road and its deposit on or against the outer slope shall not be prevented, provided it does not interfere with the efficient drainage of the road surface, does not injure avenue trees, and is so placed that none of it can be washed on to the surface of the road.

9. Occupation of the canal berms or slopes for deposit of materials or other purposes shall be regulated by the rules already in force.

10. Toll bars shall not be established on such roads without the approval of the Superintending Engineer of the circle.

11. In cases of disagreement between the officers of the Public Works Department and of the Zilla Parishads and Panchayat Samithi in the application of these rules or in carrying out by either department of any works in connection with roads to which these rules apply the decision of the Chief Engineer for Irrigation shall be final.

12. These rules shall apply mutatis mutandis to the construction and maintenance of municipal roads.

[G.Os.No. 3216, W., Dt. 4-12-1890; No. 423-I, Dt. 11-2-1929 and  
Ms.No. 77 W., Dt. 9-1-1931]

## **B.—UNMETALLED ROADS AND CART-TRACKS**

1. Formation of new roads :—Zilla Parishads, Panchayat Samithis and Panchayats may prepare the plans and estimates for new earthen roads. These plans and estimates should be approved by the Public Works Department, who will see that the proposed works are generally suitable, and that irrigation interests are adequately safeguarded. When the plans have been approved, the Zilla Parishads, Panchayat Samithis and Panchayats may

execute the earthwork. The Public Works Department will carry out any alterations to their masonry works necessitated by the new road at the expense of Zilla Parishads, Panchayat Samithis and Panchayats. When the roads are completed, Zilla Parishads, Panchayat Samithis and Panchayats should inform the Executive Engineer concerned who will arrange for an inspection. If, on inspection, the Executive Engineer is satisfied that the work has been completed according to approved plans and estimates, the road will be taken over by the Public Works Department and opened for traffic.

2. **Maintenance of roads** :—Maintenance of canal and channel banks must necessarily be with the Public Works Department as irrigation interests are involved and therefore the Public Works Department alone should undertake to maintain the roads at the cost of Zilla Parishads, Panchayat Samithis and Panchayats. Maintenance charge should be fixed by the Superintending Engineer of the circle at reasonable rates in consultation with the Panchayatraj Engineer. Centage charges for the maintenance of earthen roads need not be levied. If Zilla Parishads, Panchayat Samithis, Panchayats do not pay the prescribed maintenance charges, the Executive Engineer will carry out the repairs and recover the charges with interest from them.

3. These rules shall apply mutatis mutandis to the construction and maintenance of municipal roads.

*Note* :—Where roads of channel banks are not maintained as thoroughfares by Zilla Parishads, Panchayat Samithis and Panchayats but merely or communications to the fields below the banks at Government cost, Superintending Engineers of circles are authorized to gravel them at Government expense where necessary for the preservation of the banks. This concession will apply only to such roads or cart-tracks which will be of immediate benefit to adjacent villages only (as distinct from roads likely to become thoroughfares).

[G.O.Ms.No. 575, P.W., Dt. 26-2-1944, and G.O.Ms.No. 1106, P.W., Dt. 2-5-1939]

#### **Note applicable to all districts**

(i) In the case of rivers protected by bunds, which are required for the purposes of the irrigation system and also carry Zilla Parishads, Panchayat Samithis, Panchayat fund roads, the cost of repairs in cases of scours or breaches in the bunds should be met in equal shares by the Public Works Department and Panchayatraj, centage charges payable by the Zilla Parishads, Panchayat Samithis, Panchayats being waived.

This will apply to all repairs or protective works above the berm or padugai level (or rear ground level where padugai or berm does not exist). The cost of all repairs or protective works below padugai or berm level (or rear ground level where padugai or berm does not exist) shall be borne by the Public Works Department.

(ii) In the case of bunds which are not required for the purposes of the irrigation system, but carry Zilla Parishads, Panchayats Samithis, Panchayats fund roads the full cost of repairs caused by scours or breaches inclusive of the usual centage charges should be borne by the Zilla Parishads, Panchayat Samithis, Panchayats concerned.

(iii) The Superintending Engineer concerned shall decide whether particular repairs are necessary and whether they fall under item (i) or item (ii) above; and in cases where the Superintending Engineer differs from the Sarpanch, Zilla Parishads, Panchayat Samithis, Panchayats in regard to the necessity for repairs or their classification, the matter should be referred to the Chief Engineer for Irrigation.

(iv) In regard to the repairs, necessitated by erosion or scours to roads, formed by Zilla Parishads, Panchayat Samithis and Panchayats on channel banks, the Zilla Parishads,

Panchayat Samithis, Panchayats concerned should bear the cost of protection to retain the margin required for the road, where the Public Works Department decide that such protection is not required in the interests of the channel. In the case of existing road by the side of which a new channel is subsequently taken, a margin for the channel should be demarcated and the cost of protecting such margin should be borne by the Public Works Department.

(v) As regards the responsibility of Government for the maintenance of banks, on which a right of way exists but which have been abandoned by the Public Works Department as no longer required for their purposes, the Government are under no obligation to maintain the abandoned banks, but care should be taken that the Public Works Department do not by any possible act, e.g., by removal of earth, interfere with the bank. It will also be expedient in such cases for the Public Works Department to inform the local authority concerned of the abandonment of the flood bank and the desirability of transferring the flood bank to it, subject to such conditions as may be considered necessarily should be considered in such cases.

*Note* :—For purpose of these rules, the term “earthen road” included gravelled roads and treated with quarry rubbish.

**Rules for the Construction and Maintenance of Zilla Parishads, Panchayat Samithis and Panchayats and Municipal Roads on the Bunds of Tanks in charge of the Public Works Department**

1. If a Zilla Parishad, Panchayat Samithi/Panchayat or Municipal Council proposes to repair or construct any road which passes over the bund of a tank in charge of the Public Works Department, the previous permission of the Superintending Engineer of the Circle should be obtained in writing for carrying out the work as far as the tank bund is concerned. In the case of new roads, the Superintending Engineer of the Circle may impose such conditions with regard to the width of the road and class of surface as he may deem necessary and these conditions shall be carried out by the Zilla Parishads, Panchayat Samithis, Panchayats or Municipal Council at its own expense.

2. The Public Works Department shall have the right at any time to build, in or under the road, any sluice, escape, culvert, or other work which may be required in connection with distribution, or surplus, from the tank. While such work is under construction, the Public Works Department shall, wherever possible, make a temporary diversion of the road at the place, and, on completion of the work, shall restore the disturbed portion of the road. The clear width of roadway over such structures shall be that given by the Zilla Parishads, Panchayat Samithis, Panchayats or Municipal Council to similar works on the same road, or on other roads of the same class.

3. If at any time it is found necessary to raise the bund of the tank and thus interfere with the existing road over it, it shall be the duty of the Public Works Department to make the new surface of the road of the same width and material as before, provided that, in the top width of the bund over which the road way ran exceed 6 metres before raising the new top width of the bund need not exceed 6 metres.

4. The roadway over masonry and other works which belong to the Public Works Department shall be in charge of the Zilla Parishads, Panchayat Samithis, Panchayats or Municipal Council, but the structures themselves shall remain in charge of the department.

5. The surface of the road and the front and rear slopes for one meter (vertical) down from the top the road shall be in charge of the Zilla Parishads, Panchayat Samithis,

Panchayat or Municipal Council unless the M.W.L. of the tank is less than one meter (vertical) from the road surface, in which case the portion between the road surface and one foot above M.W.L. shall be in charge of the Zilla Parishad, Panchayat Samithi, Panchayat or Municipal Council. The rest of the slopes of the bund, front and rear, shall be under the charge of the Public Works Department. All traffic "ramps" in rear of the bund shall be in charge of the Zilla Parishad or Panchayat Samithi or Panchayat or Municipal Council.

6. All trees, grass, etc., growing on the tank bund shall be in charge of the department which before the promulgation of these rules had charge of them. No trees shall be planted on the road or bund without the previous permission, in writing, of the Executive Engineer concerned.

7. No permanent occupation of the bund for the deposit of materials or other purpose shall be allowed, and no materials shall be deposited even temporarily on the front or inner slope of the bund without the previous permission in writing, of the Executive Engineer.

8. No toll bars shall hereafter be established on any tank bund without the approval of the Superintending Engineer of the Circle.

9. In cases of disagreement between the officers of the Public Works Department and of the Zilla Parishad/Panchayat Samithi/Panchayat or Municipal Council in the application of these rules, or in carrying out by either department of any works in connection, with roads to which these rules apply the decision of the Chief Engineer for Irrigation shall be final.

*Note 1* :—Where roads on tank bunds are not maintained as throughfares by Zilla Parishads/ Panchayat Samithis, Panchayats but merely as communication to the fields below the bund at Government cost, Superintending Engineers of circles are authorized to gravel them at Government expense where necessary for the preservation of the bunds.

*Note 2* :—Centage charges need not be levied from Zilla Parishads/Panchayat Samithis/ Panchayats on the cost of maintenance of earthen roads on tank bunds. For purposes of these rules the term "earthen road" includes gravelled roads and roads treated with quarry rubbish.

#### **Rules for the Construction and Maintenance of Zilla Parishads/Panchayat Samithis/Panchayats and Municipal Roads on the Banks of Drains**

Ordinarily no road (metalled or unmetalled) or cart-track shall be allowed to be formed along side drains or on banks of drains in charge of Public Works Department, as drainage from the adjacent lands should have free access to the drains. Occasionally, a road may have short drain or have to be carried on the drain bank for short lengths to the construction and maintenance of roads or cart-tracks in such cases, shall be governed by the rules contained in Sections A and B above.

#### **A.—Rules for the Construction and Maintenance of Zilla Parishads/ Panchayat Samithis/Panchayats Roads on River Embankments in Districts**

(Charges to be provided for from the funds of Zilla Parishads/Panchayat Samithis/Panchayats.)

1. The cost of widening an existing or adding to the width of a proposed embankment to enable it to carry a road.

2. The cost of all ramps required to allow traffic to reach or leave the roadway on embankment.

3. The cost of maintenance of the top surfaces of the embankment and of maintaining all ramps leading to, or from, the roadway in connection with made or unmade roads carrying wheeled traffic. This excludes ramps for village crossings, which would have to be made and maintained where the embankment not used as a road.

4. New embankments constructed at the cost of Government, whether river, flood or canal, will not be available for wheeled traffic without the express permission of Government, unless and until the maintenance of the top surface and of ramps has been provided for by Zilla Parishads/Panchayat Samithis/Panchayats. Where there is no prescriptive right of way, other traffic will be admitted to or excluded from embankments not combined with roads at the discretion of the District Engineer or Executive Engineer in charge.

### **B.—Rules for the Construction and Maintenance of Roads on River Embankments in the Tanjore District.**

*(Not printed)*

## **APPENDIX—XXI**

### **Section-A : Ordinary Fire Rules for Government Buildings (Non-Residential)**

#### **CHAPTER I**

##### **Scale of Fire Appliances**

1. Chemical fire extinguishers and water or sand in buckets are first-aid appliances to be used for attacking a fire at the out-set to enable it to put out immediately or at least to keep it under control until the arrival of the Fire Brigade.

2. For purposes of the supply of ordinary fire appliances, buildings are divided into two classes, viz. :—

(i) Ordinary; and

(ii) Buildings where there is a special danger of oil, chemical or electrical fires.

(1) **Ordinary buildings** :—(1) Costing Rs. 10,000 and below—

(a) For a superficial area of 100 Sq.Metre and below—Four fire buckets 30 cms. high and 25 cms. deep, always filled half the number with water and half with sand.

(b) For a superficial area more than 100 Sq. Metres—The number of fire buckets is to be increased from four at the rate of one for every 50 Sq. Meter.

(2) Costing more than Rs. 10,000—

(a) For a superficial area of 500 Sq.Metres less—Six fire buckets and one 10 liters capacity soda-acid type extinguisher.

(b) For a superficial area of over 500 Sq.Metres—The number of fire buckets is to be increased over that specified at (2)(a) above, at the rate of one for every 100 Sq.Metres in excess of 500 Sq.Metres. The number of soda-acid type extinguishers will be on the same scale as under (2)(a).

(II) Buildings where there is a special danger of oil, chemical or electrical fires-

(a) For superficial area of 500 Sq.Metres—Twelve fire buckets of the specified size, but filled with and instead of water, and one foam,—type chemical extinguishers of 500 Sq.metres.

(b) For superficial area of over 500 Sq.Metres-The number of fire buckets specified at (II)(a) above is to be increased at the rate of one for every extra 50 Sq.Metres over 500 Sq.Metres. The chemical extinguishers will be on the same scale as in (II)(a).

**Note (1) :**—A fire bucket 30 cms. high and 25 cms deep means one that measures 30 cms. high on the outside and is 25 cms. deep on the inside. The top diameter is usually 30 cms. and the bottom diameter is slightly less but not less than 23 cms.

**(2) Superficial area :**—This is the surface area of each door of a building and not the plinth area. The plinth area will be the superficial area for the ground floor only. The actual superficial area in the case of the upper floors should be considered separately in each case for purposes of the supply. The articles meant for a particular floor must be placed in that floor only.

**(3)** In assessing the cost of a building for purposes of classification, the cost of that particular detached building only should be taken into consideration.

**(4)** A list of suitable chemical fire extinguishers with the names of firms where they can be purchased, could be obtained from the concerned Executive Engineer, who may consult the latest Indian Stores Department price list for fire extinguishers and refills.

**3. Telephone :**—Wherever, there is a non-automatic exchange, telephone room, a receiver will be fixed in a glass case outside the exchange room. Wherever there is an automatic exchange the watchman should be trained to dial the fire station number. In case of fire, the watchman detecting the fire will break open the glass case, take the receiver and call “The Fire”. The telephone exchange will at once communicate to the nearest fire brigade station and inform them of the locality in danger. There will also be placed in a convenient place nearby, a crowbar, with which the watchman can force upon the door of any room inside which there is fire, in order to put it out.

## CHAPTER II

### Precautions against fire

**1.** No temporary shed required in the compound of any Government building should be built of combustible materials without the permission of the Executive Engineer. The erection of thatched or mat buildings within fifteen metres of a permanent Government office is prohibited.

**2.** Galvanised iron buckets with water or stand and chemical fire extinguishers should be kept in easily accessible places in every building for use during fire. They should be located as far as possible at the top and bottom of the staircases or at the commencement and junctions or important corridors in each floor. The number of buckets and fire extinguishers to be provided should be as per scale separately fixed and the head of each officer should ensure that this equipment, which will already have been provided in most

offices, is in good working condition. The Executive Engineer may be consulted when required in connection with this initial supply. For buildings for which an adequate supply of water is not available within a convenient distance, water should be provided in covered tanks sufficiently large to fill the buckets ten times.

3. When portable fire engines are provided, the engine, its hoses, other appurtenances and accessories should be complete and in working order. The hoses should be of sufficient length to reach top of the buildings. Certain important buildings, such as, the Secretariat buildings in Hyderabad are provided with hydrants and hoses, and these are fixed in glass cases at convenient places. They should be periodically examined and kept complete and in working order.

4. All attenders and peons should be given a practice drill at least once a month in the use of fire appliances and the head of each office concerned should make arrangements for the proper conduct of these drills. Where a telephone exists, attenders and peons should be instructed in its use for the purpose of obtaining assistance.

5. The head of each office should see that the following precautions are carried out :—

(a) That before closing the office for the night the manager or headclerk or under his written authority a clerk named by him, visits each room and sees that all lights are put out, that in offices in which electric fans and lights are provided the switches are turned off; and that all waste paper must be removed, and that in hill stations where fire is kept in fire places to keep the room warm, all fire is effectively extinguished.

(b) That none but safety matches are used in offices.

(c) That kerosene oil or any easily inflammable material is always stored in an out-building or godown.

(d) That the sealing of papers is always done under the direct supervision of a responsible clerk who should see that due care is taken.

(e) That no naked lights are used in any office. All candles and wicks must be protected by glass.

(f) That fire-places for the preparation of pastes or glue are not allowed in or near any building.

(g) That waste paper is not allowed to accumulate in large quantities in any office. One or more receptacles is provided outside that buildings for waste paper and is sufficiently distant from the main building. Every evening the waste paper of the day is collected and put into one of the receptacles.

(h) That fire buckets are always full of sand or water or in some cases it may be found suitable to keep half the number of buckets filled with water and half with sand.

(i) That old furniture is not left lying about but disposed of at once.

(j) That smoking in record rooms is strictly prohibited.

(k) That dried leaves and other litter is removed from the top of terraces at intervals.

(l) That all restrictions and rules regarding lighting issued by the local, municipal or A.R.P. authorities are strictly followed.

(m) That in all hill stations where there are fire-places for warming officers fire-guards of metal guage or netting are provided infornt of all fire-places.

6. One bell gong or more according to the size of the building should be fixed in each building which should be sounded for giving fire-alarm. When this is sounded, it is the duty of the men listed for fire-fighting to rush up to the places of fire for fighting.

### **CHAPTER III**

#### **On the outbreak of fire**

1. On the outbreak of fire, electric current should be switched off at the main.
2. Fire caused by ignited oils should be smothered at once by means of earth or sand kept in receptacles placed in suitable positions for the purposes, and water should on no account be used.
3. Immediately a fire is detected, the alarm must be given as explained in paragraph 6 of Chapter II and intimation also be given to the nearest fire brigade, to the nearest police station by phone or otherwise as described in paragraph 3 of Chapter I.
4. Immediately on the alarm being raised, every man should proceed to the post to which he is told off and make such effective efforts as he can to put out the fire, pending the arrival of the fire brigade. If buildings are equipped with fire-house and hydrants connected to the overhead tanks, they should be used to the best advantage, as it will be possible to put out major fire by a timely use of these appliances.
5. All movements should be carried out with silence and rapidity and special care must be taken to see that there is no crowding in passages and staircases.
6. As a draught of air will tend to increase the fire, all doors and windows, which it is not necessary to use for ingress or egress, should be closed.
7. All inflammable materials near the fire should be collected and carried to place of safety.

### **CHAPTER IV**

#### **General Instructions**

1. The rules in Chapters I to III are applicable for ordinary Government nonresidential buildings. These rules should be printed in English and vernaculars and be hung up in conspicuous places in every building.
2. As regards the appliances to be provided, for fire protection the Executive Engineer, who is in charge of the building will advise the head of the office of the number of fire buckets and chemical extinguishers required according to the scale fixed taking into consideration the cost of the building and the superficial area of each floor. The responsibility of seeing that the equipment is according to scale and is kept in working trim is that of the head of the office.
3. In the case of important buildings where there is insufficient means of access to the roof, the Executive Officer should consider the possibility of providing ladders of suitable length for gaining access to any part of the roof.
4. The initial supply of fire buckets and fire extinguishers together with other appurtenances, such stands, buckets etc., as well as all renewals of, and repair to the fire

buckets and fire extinguishers shall be made by the heads of the offices concerned—such works being treated as assigned to the departments concerned. If in any case, professional skill or assistance is considered necessary the Executive Engineer or the Sub-divisional Officer shall be consulted.

5. When a building is occupied by officers of more than one department, the department responsible for precautions-under these rules shall be the Revenue Department if it be one of the occupants and if not the department of the Local Government occupying the major portion of the building to be decided in each case by Superintending Engineer concerned. If, in such cases, a department of the Central Government happens to be one of the occupants, the cost of the fire appliances supplied or of the repairs thereto in respect of the portion of the building occupied by such department shall be recovered from that department.

6. A building should be the unit for purposes of fire protection. In cases where a building (whether owned by Government or hired) is used partly as an office and partly as a residence for a Government officer the department to which the office belongs shall be responsible for the provisions of fire protection appliances for the entire buildings.

7. The supply of buckets and tanks, etc., to buildings rented as offices will be arranged for by the heads of offices, occupying the buildings.

8. Responsibility for fire protection for buildings not in charge of Public Works Department is that of the head of the office occupying it.

9. The main principle underlying the rules is that the head of the office should see that his office building is protected. On that principle it is for him to supply the buckets and other appliances. For him to get the rules translated, printed and hung up, and for him to make good (with the assistance of the Executive Engineer where necessary) any other defects.

## CHAPTER V

### Practice drill

1. The head of the office should fix an officer who will be responsible for the training of the men to take part in putting out fires during day and night and conducting periodical drills. The practices must be as realistic as possible and should include relaying of sand and water from a nearby source by forming a chain of all staff available.

2. For day time the services of the several attenders and peons on duty should be utilized but for night, special watchman should be engaged.

3. Fire practices in the use of these appliances should be given by the officer appointed once a week until all the attenders, peons and night watchmen have had sufficient instruction in the use of various appliances. The chemical fire extinguishers should not be operated in these practices. The Officer should explain to the men the working of the appliances and the method of using them in case of actual fires. The descriptive leaflets and instructions which are supplied free by the suppliers to the purchaser of these appliances, will be helpfull to the officer in this matter. If there is still any doubt, the officers should consult the local Public Works Department Officer who will explain matters.

4. After the initial instructions, these should be periodical refresher instructions, for new men as well for those previously informed on the use of the fire appliances at intervals of one month. As already mentioned in paragraph 3 above, the chemical fire

extinguishers should not be actually used, since any accidental damage to the glass acid tube inside may result in wasteful release of the contents. The officer should orally examine the men individually to ensure that each of them understands clearly the working of the appliances and how to use them on occasions when there is a fire. He should also test the weight of the extinguisher and the alkalinity of the solution, as detailed in the instruction sheets issued by the supplying company, and satisfy himself that the materials have not deteriorated. Once a year, however, the complete drill should be carried out with actual use of the contents of one or two of these chemical fire extinguishers, so as to form a real practice test.

5. A sufficient stock of refills, for chemical fire extinguishers, say 5 per cent spares should always be kept. New refills should be loaded immediately after use in a real fire accident and after the real practice test once a year referred to in paragraph 4 above. The instructions issued by the supplying companies contain detailed description of the procedure to be adopted in such cases which should be closely followed. If there is any doubt, the local Public Works Department Officer should be consulted.

6. A suitable day in the first week of every quarter should be selected for fire drill but in hour should not be fixed nor intimated. On the day selected an alarm should be given by the officer incharge of the arrangements at different parts of the building each time and the practice drill with appliances gone through under the guidance of the officer in as orderly a manner as possible. This should be witnessed by the head of the office or his assistant deputed for the purpose. Similar drill should be gone through during night time during the same week but on a different day.

7. A register should be kept of all such exercises and of the defects noticed with any of the appliances. This register should be inspected by the head of the office on the same day or the day following and he should take action to set right the defects.

8. A register should be kept showing the issue or the refills for the chemical fire extinguishers after each practice of fire-fight.

9. Where special hydrants are fixed inside the building and fire-hostes are kept in glass cases, all the hydrants should be tested with the houses on the drill day to ensure that they function all right and the men are fully acquainted with their uses. On the morning of the practice, the glass cases should be kept open. After the practice is over the cases should be cleaned, aired and kept in the proper places and the glass cases closed.

## **CHAPTER VI**

### **Night Watchman**

1. The watchman will be on duty from 6 a.m. every day. They will go round as soon as they come on duty to see that all doors have been locked. They will take turns (where there are more than one watchman on duty) in going around the officer and record the same at the tell tale clock (where these are provided) every half-an-hour patrolling only the verandahs and corridors round the office rooms. They will carry a whistle and a stout bamboo, 1.5 metres long.

2. Where there is a head watchman or a superintendent, he will visit the watchman at uncertain hours during the night to see that they are doing their duty. During such visits he will carry on his person the set of duplicate keys of all the offices sealed in a bag. if there is only one watchman, he will have these duplicates with him.

3. Action to be taken in case of a fire should a watchman on his round to observe any outbreak of fire he will at once whistle for other watchman, and sound the fire alarm bell. He will act in accordance with paragraph 3 of Chapter I. The telephone exchange will at once communicate to the nearest fire station and inform them of the locality in danger. Where there are no telephones information should be communicated to the nearest police station.

4. If the fire is inside any one of the rooms, which can not be readily opened, the watchman and the head watchman or superintendent if available of the spot, will immediately force upon the door by means of a crowbar (which will be kept in the custody of the watchman at an approved location) and try to put the fire with the chemical fire extinguisher available. In the meantime the other watchman will get the fire buckets and pumps into operation. They will also whistle and call the watchman of the neighbouring offices, if any.

(G.O.Ms.No. 2532, Public Works, Dt. 22-8-1974)

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## APPENDIX XXII

### Standard Scale of Electrical Fittings for Court Houses, Etc.

(G.O.Ms.No. 1919, P.WD., DL 18-9-1963)

**1. Court Houses** :—Electric fans for Court-Houses may be on the following scale:

- |       |  |  |
|-------|--|--|
| (i)   | Dais   | One ceiling fan.                                   |
| (ii)  | Bar table  | One ceiling fan.                                   |
| (iii) | Presiding Officer's retiring room<br>(with the exception of Stationery<br>Sub-Magistrates)   | One table fan.                                     |
| (iv)  | Sarishtadars of District and Sub-<br>Courts and Head Clerks of Sub-<br>Courts where there is no Sarishtadar.                       | One ceiling fan.                                   |
| (v)   | Office rooms in Courts where there<br>are more than three clerks working<br>in places which can be said to be<br>particularly hot. | Ceiling fans, according to<br>actual requirements. |

Electric lights should be proposed only for such Courts or for such rooms only where work is done habitually after Bar. In such cases the number of lights should be reduced to the minimum absolutely necessary.

**2. Police Stations** :—Ordinarily fans need not be provided for police stations. In cases where it is decided to do so, a small size ceiling fan should preferably be allowed.

**3. Jails and Sub-Jails Ceiling fans** :—A large size ceiling fan may be allowed for the office room of the Superintendent of a Central-Jail, District Jail or a Borstal Institution or a Headmaster of Certified School. Fans for clerks should be allowed only in rooms where three or more clerks work. Any exception may however be made where e.g., a store or manufactory keeper or a clerk has to work in a very ill-ventilated room and it is impossible to improve conditions by structural alterations.

**Table fans** :—Jailers and Deputy Jailors and Officers of similar rank in Borstal and Certified Schools may be allowed table fans.

**Lights** :—Electric lights may be provided in clerks rooms if they work habitually after dark.

Lights may be allowed for the main gates, verandahs, passages, guard rooms, association blocks, dormitories and cells in which literate prisoners accustomed to study are confined. Lights should not be provided in other prison-cells and in association blocks and cells for literate prisoners in sub-jails.

**4. Hospitals** :—The Government do not propose to issue any general orders in regard to the provision of fans in general wards in mufassal hospitals.

**5. Veterinary Hospitals and Dispensaries** :—A small size ceiling fan may be allowed in each of the Veterinary hospitals and dispensaries for the use of the Veterinary

Assistants-in-charge. Two fans for each institution will be allowed only when there are two Veterinary Assistants.

**6. Offices-General** :—The following general principles will be supplemental to the instructions issued in memorandum No.71 O-C134-2, dated 23rd August, 1934.

(i) Electric fittings should not be provided for temporary offices.

(ii) No fans should be allowed for any single head ministerial officers if he is lower in rank than a taluk serishtadar.

(iii) (a) Officers such as Collectors, District Judges, District Superintendents of Police, District Medical Officers and Executive Engineers and all superior District Officers, may be given a big size ceiling fan in their office rooms and a table fan in their retiring rooms

(b) Fans, if any, to be provided for individual non-gazetted officers should generally be table-fans. But in the case of consulting rooms in the out-patient department of the Government Hospitals occupied by Sub-Assistant Surgeons, small ceiling fans may, if necessary, be allowed.

(iv) In officers with one or two clerks, or where only one or two clerks occupy a room, fans need not be provided except for special reasons; and

(v) Wall-plugs, table-lights and table-fans should not be provided in rooms which are provided with lights and fans, except in the case of record rooms where there may be a necessity for a hand lamp.

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## APPENDIX XXIII

### Standard Scale of Electric Fittings for Government Residences

*(G.O.Ms.No. 1919, P.WD., Dt. 18-9-1963)*

Sl.No.	Room	For Officers of the Rank of District Officers and above				
		Lights		Ceiling Fans		Wall Sockets
		Number	Type of Shade	Number	Size	
(1)	(2)	(3)	(4)	(5)	(6)	
1.	Sitting or drawing room	2	*A	1	L	1
2.	Writing room	1	A	1	S	-
3.	Bed room	1 or 2 according as the area is less than over 300sq.ft.	*C	1	L	1
4.	Dressing room	1	D or C	1	S	-
5.	Bath room	2	C	-	-	-
6.	Dining room	1	*C	1	L	1
7.	Kitchen	1	D	-	-	-
8.	Survey or matey room	1	D	-	-	-
9.	Lander or Stores	1	D	-	-	-
10.	Office room	1	A	1	L	1
11.	Clerks room	1	C	-	-	-
12.	Survey room	1	A	1	-	1
13.	Landing from stairs	1	C	-	-	-
14.	Gangway, corridors or Verandahs and lobby in Verandahs	1 For every Complete 30 Rft.	C	-	-	For each for every residence complete 30 Rft.
15.	Arch	1	C	-	-	-
16.	Servants quarters	1	D	-	-	-
17.	Staircase hall 100 Sft. Or above excluding stairs and landing	1	C	-	-	-
18.	Consulting room 100 Sft. Or above	1	C	-	-	1

\*[Memo.No.125/C1/79\_2, Tr., Rds., Blds. (C) Dept., Dt. 2-3-19 79]

Add the following under columns 3 & 8 against Items No.1, 3 and 6 in Appendix-XXIII of Andhra Pradesh P.W.D. Code.

“of which one fitting shall be fluorescent box typed (without bulb)”.

Sl.No.	Room	For Officers of the Rank of District Officers and above				
		Lights		Ceiling Fans		Wall Sockets
		Number	Type of Shade	Number	Size	
(1)	(2)	(3)	(4)	(5)	(6)	
1.	Sitting or drawing room	2	*A	1	L	1
2.	Writing room	1	A	-	-	-
3.	Bed room	1 or 2 according as the area is less than or over 300sq.ft.	*C	1	L	-
4.	Dressing room	1	D or C	-	-	1
5.	Bath room	1	C	-	-	-
6.	Dining room	2	*C	1	L	1
7.	Kitchen	1	D	-	-	-
8.	Servey or matey room	1	D	-	-	-
9.	Lander or Stores	1	D	-	-	-
10.	Office room	1	A	1	S	1
11.	Clerks room	1	C	-	-	-
12.	Survey room	1	A	1	L	1
13.	Landing from stairs	1	C	-	-	-
14.	Gangway, corridors or Verandahs and lobby in Verandahs	1	C	- SI	-	1 For each residence
15.	Arch	1	C	-	-	-
16.	Servants quarters	1	D	-	-	-
17.	Staircase hall 100 Sft. Or above excluding stairs and landing	1	C	-	-	-
18.	Consulting room 100 Sft. Or above	1	C	-	-	1

*Light Fittings:*

A. 7 ½ inches Helophase or Equilxue or similar extension shade.

B. 10 inches x 5 inches green and white opal shade.

C. 10 inches x 5 inches white opal shade.

D. 10 inches x 5 inches metal shade.

*Ceiling fans:*

L. Large size fans.

S. Small or baby size fans.

*Wall Sockets* : Five amperes combined switch and plug.

1. Proposals for the provision of such fittings in excess of the above scale as may be found necessary should be submitted to Government for sanction.

2. The Chief Engineer for Electricity is given the discretion to alter the position of the fittings suitably in consultation with the occupants if necessary.

3. In the case of out-houses, latrines etc., water tight fittings may be allowed upto a maximum of a 2 for each residence in addition to a light in each room excepting the garage.

4. No portable fittings such as table fans and table lights will be provided by Government. The tenant should arrange to provide these at his own cost.

5. The installation of an electric refrigerator or similar appliance will be allowed only on condition the occupant bears the entire cost together with the cost of a separate connection and undertakes to bear the cost, if any of disconnection if his successor in the residence does not want it.

6. The supply and renewal of bulbs should be made by the tenants at their own cost.

7. In the quarters occupied by N.G.O's (above Class iv) a maximum of two fluorescent box type fittings (without tube) may be allowed in lieu of an equal number of incandescent lights.

8. In respect of residential buildings occupied by the ministers, any type of fittings may be provided, based on the specific requisition of the ministers].

[Added by Memo.No. 125/C1179-2, Tr.Rds.Blds. (C) Dept., Dt. 2-3-1979]

**APPENDIX XXIV****Instructions**

<b>(Reference to paragraphs 245, 263, 275, 278 of the A.P.P.W.D. Code)</b>	<b>Division Data Statement for calculating rent of building</b>
1. All data statements for calculating rents of buildings which are submitted for sanction, should invariably be sent through the Accountant General for check and transmission to the Superintending Engineer or other competent authority.	No ..... , dated ..... 19 ..... Forwarded to the Superintending Engineer Circle in triplicate for approval through Accountant General, Andhra Pradesh.
2. Data statements should specify in the column for remarks, the date of completion of the work or date of beneficial use, as distinct from the dates either of final payment or of the closing of the works account. (Reference to previous data statement, if any should also be invariably quoted in this column. Vide G.O.Ms.No. 190, W., Dt. 8-2-1908 & G.O.No.1474, W, Dt. 27-7-1914).	Executive Engineer Division No ..... ,dated ..... 19 ..... Transmitted to the Superintending Engineer Circle with certificate of check Deputy Accountant General, A.P.
3. In the case of block of buildings each containing a number of quarters, the standard rent should be calculated on the proportionate cost of each of the quarters of portion and then rounded off. (G.O.Ms.No.1308, W, Dt. 27-4-1929)	No ..... , dated ..... 19 ..... The data statement is approved, Superintending Engineer, Circle.
4. The amount of rent arrived at in column (15) should be rounded off to the nearest 1 rupee or half rupee according as the calculated amount is over or less than Rs. 5 vide Subsidiary Rule under Fundamental Rule 45-A-III(c).	Copy to the Executive Engineer, Division.  Copy to the Accountant General, Andhra Pradesh.
5. The Divisional Accountant should certify at foot of the data statement that he has included all the relevant figures and verified their correctness.	

Rent data Statement from calculation of rent									Under paras 263 and 275 of the A.P.P.W.D.Code								
Capital Cost									Cost of Maintenance and Repairs			Normal rate of rent on the basis of Foregoing calculation					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)
Item No.	Name of the Building	Official designation and Salary of Occupant	Permanent or Temporary	Date of construction or Purchase	Cost of construction or purchase	Cost of Site	Departmental charges on works outlay for establishment. T&P etc. (in case the rent is calculated as per para 275 or 245 of 'D' Code.	Total	Interest on capital cost at the prescribed percentage.	Repairs at the prescribed percentage excluding municipal taxes payable by Government	Municipal or Panchayat taxes payable by Government excluding service taxes	Total	Annual – Cols.(10)+(12)	Monthly – 1/2 of col. 14	Rent hitherto charged	Rate of rent prevailing in the locality for similar accommodation (in case the rent is calculated as per para 275 of D Code	Remarks

## SUBJECT INDEX TO PART I

(Given at the end of the book)