



**Government of West Bengal
Irrigation & Waterways Department
Jalasampad Bhavan, 1st Floor, Western Block
Bidhannagar, Salt Lake City, Kolkata 700 091**

No. : 11-(W)/2023-24

Dated 30th June, 2023

NOTIFICATION

Irrigation & Waterways Department is responsible for flood management and alleviation of drainage congestion at flood prone areas of the State, spreading over 43% of the State's geographical area. Moreover, providing surface water irrigation, through the canal system of existing major, medium and minor irrigation schemes also comes under the purview of the Department.

As a part of its flood management infrastructure, the Department maintains around 10584 Kilometer of river embankments and 67 kilometer of sea-dykes and their appurtenant structures like sluices, regulators, etc., most of which are located at remote places like island of Sundarbans, foothills of the Himalayas and also at the coastal belts.

Similarly, maintaining the irrigation infrastructures, comprising of 28 dams, 15 Barrages, 33 weirs and 9499 Kilometer of canals is also a major challenge, due to its vastness and remoteness.

Damages to embankments/river banks, during passage of heavy discharges in monsoon period, pose a serious threat to the safety of the adjoining areas, demanding immediate restoration of damages and closure of breaches. Such damages to flood management infrastructure may also occur in non-monsoon period and to the irrigation infrastructure during irrigation through the canal system.

2. The following categories of works require emergent action :

A. Emergent situations due to flood and inundation during monsoon from 1st June till 31st October :

Often, due to sudden and unpredictable nature of rainfall and flood discharge passing through various rivers in this lower riparian State, sometimes coupled with high tides, dam releases from Jharkhand, rainfall in hills of Bhutan reaching suddenly to the plains of North Bengal, restoration of damages, on emergent basis within the minimum possible time, become the need of the hour for saving the life and property

of the people, residing at the adjoining areas and also to prevent further damages during subsequent spell of high river discharge, high tides.

Taking up required restoration of such damages, observing the extant norms on the tender procedure of the State Government, frustrates the very purpose of emergency.

The extant norms of Finance Department require invitation of e-tender for all works of value Rs. 1.00 Lakh or above. A minimum notice period of 14 days is required from the date of publication of e-tender notices in the newspapers till the last date of tender submission for tender value exceeding Rs. 10.00 Lakh and upto Rs.100.00 Lakh in each case and such tenders, after a two bids formality, mature not before 21 days. For tenders of value up to Rs. 10.00 Lakh, the minimum time required to mature a tender is generally 10 days (7 days notice period + 3 days for other formalities). In view of above, it is hardly possible to execute emergent works, particularly for fighting natural & unpredictable calamities like heavy rainfall & flood, following extant norms of e-tenders, of the State Government.

Taking prior and post-facto approval of the Finance Department, for allowing to go for short notice tender, beyond the extent tender norms, on case to case basis for carrying out such emergent restoration works, become a complex and difficult process.

B. Other Non-monsoon emergent situations :

- i. Emergent works relating to restoration of ingress of river or sea water due to damages/breaches including restoration of public utilities viz. road, Irrigation Canals or bridges and hydraulic structures etc. maintained by this Department.
- ii. Visit of high level dignitaries for which this Department is required to make arrangement.

Considering above, earlier vide Notification No. 19-W/2016-17 dated 19.07.2016, the Executive Engineers and Superintending Engineers of the Department were delegated special financial power of inviting offline short notice tenders, spot bid and tender acceptance.

Since, a considerable time has elapsed in between and the nature, extent and cost of such restoration works have been changed significantly, it has been felt to revisit the financial power.

Accordingly Governor is pleased to prescribe the following procedure for execution of emergent works upon invitation of short tender notice, spot bid, as the case may be.

3. Tender Formalities applicable for emergent works stated under Para 2 (A) :

- i. Executive Engineers are hereby authorized to invite and accept short notice off-line tenders with a minimum notice period of 3 days with adequate publicity, including that in notice-board, newspaper and departmental website, for taking up emergent flood damage restoration works of amount put to tender upto Rs. 20.00 lakh, in each case, in the event of an emergency arising during monsoon, from 1st June till 31st October, with prior consent followed by post-facto written approval of the designated Chief Engineer.
- ii. Similarly, Superintending Engineers are authorized to accept short notice offline tenders, with minimum notice period of 3 days, with adequate publicity, including that in notice-board, newspaper and departmental website for taking up emergent flood damage restoration works of amount put to tender upto Rs.40.00 Lakh, in each case, in the event of an emergency arising during monsoon, from 1st June till 31st October, with prior consent followed by post-facto written approval of the designated Chief Engineer.
- iii. Executive Engineers are also authorized to invite and accept offline spot bid of estimated amount put to tender up to Rs. 20.00 Lakh, in each case, of restoration of embankment breach (collapse), with prior consent and post-facto written approval of the designed Chief Engineer, during the monsoon period from 1st June to 31st October, if the necessity so arises.

4. Tender Formalities applicable for emergent works stated under Para 2 (B) :

- i. Executive Engineers are authorized to invite and accept short notice offline tenders, with minimum notice period of 3 days with adequate publicity including that in notice-board, newspaper and departmental website, for undertaking various emergent works as defined under para 2(B) above, of amount put to tender upto Rs. 20.00 Lakh in each case, subject to obtaining prior consent and a written post facto approval of the concerned Chief Engineer.
- ii. Superintending Engineers are authorized to accept short notice offline tenders, with minimum notice period of 3 days with adequate publicity including that in notice-board, newspaper and departmental website, for

undertaking emergent works as defined under Para 2(B) above, of amount put to tender exceeding Rs. 20.00 Lakh but limited upto Rs. 40.00 Lakh, in each case, subject to obtaining prior consent and a post facto written approval of the concerned Chief Engineer.

5. Other General Conditions :

- i. Short notice off-line tenders with minimum notice period of 3 days may only be invited when time is extremely short. Whenever a reasonable time is available, tender should be invited as per rules, in terms of Rule 47(8) of WBFR, as amended time to time. The concerned Executive Engineers and Superintending Engineers would apply his mind and prudence to determine the necessity of such short notice off-line tender with a view to restore the damages within the minimum possible time.
- ii. Short Notice e-Tender with minimum notice period of 3 days should be invited instead of short notice off-line tenders or spot bids, wherever possible.
- iii. Evaluation of these short notice tenders shall be done by a committee, comprising the concerned Superintending Engineer, the Executive Engineer and the Divisional Accounts Officer.
- iv. The Executive Engineers and Superintending Engineers are allowed to publish abridged tender notices of the aforesaid emergent works directly in print media instead of routing the same through I & CA Deptt. The cost of such advertisement may be borne out of the departmental budget provision under the detailed head '26'. The bills of these advertisements are to be sent to the Department for making the payment centrally.
- v. All such emergent works shall have a technically sanctioned estimate whose value is to be certified by an Engineering Officers, in terms of Finance Department No. 30-F(Y) dated 05.01.2021.
- vi. Tenders shall be invited by publication of the tender notice in the notice boards and by uploading the same in the official Departmental website. If there is reasonable apprehension that such notice would have inadequate response, direct communication, through messenger delivered letter or through e-mail to the bonafide and resourceful contractors, having sufficient experience of execution of such works, at a very short notice, may be contemplated, provided that all such steps shall not encourage enlistment of contractors that has since been abolished.

- vii. Response from **at least three bidders** shall be necessary for evaluation of any tender/spot bid in emergent situation as explained at para 3 & 4 above.
 - viii. The tendering authority will record in writing the circumstances that compelled them to have recourse to the spot sealed bids in relaxation of the tender procedure prescribed in West Bengal Financial Rules, and shall also explain the emergent situation in the file dealing with tenders relating to the work to justify adoption of the off-line tender procedure.
 - ix. Prior consent of the concerned Chief Engineer, for inviting short notice tender, spot bid, as the case may be, is to be taken through Online Plan Fund Monitoring system (OPMS). Such prior consent may also be taken through e-mail until launching of the appropriate module in OPMS.
 - x. For obtaining formal administrative approval on these emergent works, the procedure laid down in the Departmental Memorandum 07-W/2023-24 dated 12.06.2023 is to be strictly followed.
 - xi. A maximum of 5% of the excess of amount put to tender may be accepted by the Tender Accepting Authority in terms of Finance Department No. 2320-F(Y) dated 07.06.2022.
6. This is issued in complete supersession to this Departmental Notification No. 19-(W)/2016-17 dated- 19.07.2016.
7. Accordingly, Rule 163 of West Bengal Works Manual will stand modified to the extent this order will apply. Irrigation & Waterways Departmental code would be modified in due course.

This order is issued with the concurrence of the Finance Department, accorded vide their **U.O. No. Group – T/2023-2024/0312, Dated - 26.06.2023.**



(Prabhat Kumar Mishra)
Principal Secretary to the
Government of West Bengal
Irrigation & Waterways Department

Copy forwarded for :-

1. P.S. to Hon'ble Minister-in-Charge,
Irrigation & Waterways Department.
2. P.S. to Hon'ble Minister-of-State,
Irrigation & Waterways Department.
3. Principal Accountant General (A & E), West Bengal,
Treasury Buildings, 2, Government Place (West),
Kolkata – 700091.
4. Principal Accountant General (Audit-II), West Bengal,
MSO Buildings, 5th Floor ,CGO Complex, DF Block, Salt Lake,
Kolkata – 700 064.
5. Finance (Audit) Department, Group-T,
Nabanna, 325, Sarat Chatterjee Road, Howrah- 711102.
6. P.A. to Secretary,
Irrigation & Waterways Department.
Jalasampad Bhawan, Salt Lake City, Kolkata -91
7. Financial Advisor,
Irrigation & Waterways Department.
Jalasampad Bhawan, Salt Lake City, Kolkata -91


(Smarajit Sarkar)

Deputy Secretary to the
Government of West Bengal

Copy forwarded for information and necessary action to :

1. Chief Engineer (South),
Irrigation & Waterways Directorate.
2. Chief Engineer (West),
Irrigation & Waterways Directorate.
3. Chief Engineer (South-West),
Irrigation & Waterways Directorate.
4. Chief Engineer (North),
Irrigation & Waterways Directorate.
5. Chief Engineer (North-East),
Irrigation & Waterways Directorate.
6. Chief Engineer (Design & Research),
Irrigation & Waterways Directorate.
7. Chief Engineer (Teesta Barrage Project),
Irrigation & Waterways Directorate.
8. Chief Engineer (M & E),
Irrigation & Waterways Directorate.
9. Chief Engineer & Project Director (WBMIFMP),
Irrigation & Waterways Directorate,
10. Executive Engineer,
DVC Study Cell,
Irrigation & Waterways Directorate.

He is requested to upload in the Departmental website www.wbiwd.gov.in with a heading "**Special Provision for Short Notice Tenders**".


(Smarajit Sarkar)
Deputy Secretary to the
Government of West Bengal