

Government of West Bengal  
Finance Department  
Audit Branch

No. 1956-F(Y)

Dated, 4<sup>th</sup> April, 2014

**NOTIFICATION**

In exercise of the power conferred by Clause (3) of Article 166 of the Constitution of India, the Governor is pleased hereby to make the following amendments in the West Bengal Financial Rules, Volume-I, as subsequently amended (hereinafter referred to as the said Rules), namely:-

In the said rules, for Rule 47(14) substitute the following -

**Rule 47(14)-** Subject to provision of these rules and any other special rules, suppliers / service providers sometimes need to be registered or empanelled by the departments / procurement entities on the basis of their qualification and competence because of the nature of the materials / service to be procured. Besides, in case of any emergent situation it may not always be possible to go for procurement of materials / service observing the open/advertised tender procedure as enjoined in Rule 47(8) and notes thereunder of WBFR, although value of such procurement may equal or exceed Rs. 1 lakh. In such cases where open tender is not invited and procurement is effected by limited tenders inquiry / single tender inquiry, the specific reasons for doing so should be recorded and the approval of the competent authority should be taken in writing, unless such action is taken in accordance with any instruction issued by the Government. The situations in which Limited Tender Inquiry and Single bid are permissible and its conditions are given below.

**1 (a) Limited Tender Inquiry (LTI)**

Procurement of materials / service can be undertaken through Limited Tender Inquiry (LTI) to be issued to the suppliers who are registered / empanelled with the department concerned inviting them to offer their price. In such cases of tender, copies of the bidding document should be sent, free of cost, directly by speed post/registered post/courier/e-mail, simultaneously to all the

registered suppliers for the materials / service in question. The number of supplier firms in LTI should be more than three. Efforts should be made to identify a higher number of approved suppliers to obtain more responsive bids on competitive basis. Web site publicity should also be given for LTIs. The lowest bid / price should be accepted in such cases of LTI.

Purchase through LTI may be adopted upto the estimated value of the procurement of Rs.10 lakh, with concurrence of the Financial Advisor of the Department, in the following circumstances:

(i) The Departmental Secretary certifies that the demand is urgent and any additional expenditure involved by not procuring through advertised tender enquiry is justified in view of urgency. The nature of urgency and reasons why the procurement could not be anticipated earlier should be put on record.

(ii) There are sufficient reasons, to be recorded in writing by the Financial Advisor and concurred by the Departmental Secretary, indicating that it will not be in public interest to procure the goods through advertised tender enquiry.

(iii) Sufficient time should be allowed for submission of bids in Limited Tender Inquiry cases.

1 (b) Limited tender enquiry route may also be adopted for procurement purpose in those cases where the sources of supply are definitely known and possibility of fresh source(s) beyond those being tapped is remote.

1 (c) In case of procurement of consultancy service from the panel of Finance Department, there will be no ceiling of the consultancy fee.

## **2. Single Tender Inquiry**

Procurement from a single source may be resorted to in the following circumstances:

### **2 (a) In case of urgency**

- i. There is an urgent need for the materials, equipment, and service. Engaging in tendering procedure or any other method of procurement would, therefore, be impracticable. The reasons for such decision are to be recorded in writing in the related office papers and registers and approval of the competent authority should be obtained thereto, provided that the circumstances giving rise to the urgency were neither foreseeable by the procuring entity nor the result of any dilatory conduct on its part;
- ii. Owing to a catastrophic event such as, natural calamities, there is an urgent need for the goods making it impractical to use other methods of procurement because of the time involved in using those methods.

In case of procurement from a single source because of urgency, the following certificate should be given-

- (i) circumstances giving rise to the urgency were neither foreseeable by the procuring entity nor the result of dilatory conduct on its part;
- (ii) there is an urgent need for the goods making it impractical to use other methods of procurement because of the following emergent situation-
  - natural calamities at....., or
  - .....(specify).
- (iii) Comments of the Departmental Financial Advisor.....

**2 (b) Proprietary items**

- i. It is in the knowledge of the user department that only a particular firm is the manufacturer of the required goods, and the department certifies it.
- ii. The materials, equipment and related services are available only from a particular supplier or a particular supplier has exclusive rights in respect of these items and no reasonable alternative or substitute exists, and a certificate to that extent to be given by the department.

Proprietary article certificate in the following form is to be provided by the Department before procuring the goods from a single source as applicable.

- (i) The materials / equipments are manufactured by M/s. .... only
- (ii) No other make or model is acceptable for the following reasons .....
- (iii) Comments of Departmental Financial Advisor.....

3. In all such cases of procurement from single source, concurrence of the administrative group concerned and Group 'T' of Finance Department shall be obtained.

By order of the Governor

Sd/-H.K. Dwivedi  
Principal Secretary to the  
Government of West Bengal.

No. 1956/1(250)-F(Y)

Dated, 4<sup>th</sup> April, 2014

Copy forwarded for information and necessary action to-

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
2. The Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Govt. Place (West), Kolkata-700 001.
3. Chief Secretary to the Government of West Bengal.
4. The Additional Chief Secretary/Principal Secretary/Secretary ,  
..... Department, Govt. of West Bengal.
5. PA to the Principal Secretary, Finance Department, Government of West Bengal.

6. Secretary, Finance (Audit) Department, Government of West Bengal
7. Secretary, Finance (Budget) Department, Government of West Bengal.
8. Financial Advisor, .....Department, Govt. of West Bengal.
9. The Principal Accounts Officer & Ex-Officio Joint Secretary, Finance (Budget) Department, for uploading this notification in the Finance Department website.
10. The Director of Treasuries & Accounts, West Bengal, The New India Assurance Building, 4, Lyons Range (2<sup>nd</sup> & 3<sup>rd</sup> floor), Kolkata – 700 001.
11. The Commissioner, \_\_\_\_\_ Division.
12. The District Magistrate, \_\_\_\_\_
13. The Sub-Divisional Officer, \_\_\_\_\_
14. The Pay & Accounts Officer, Kolkata Pay & Accounts Office – I, 81/2/2, Phears Lane, Kolkata – 700 012.
15. The Pay & Accounts Officer, Kolkata Pay & Accounts Office – II, P-1, Hyde Lane, Kolkata – 700 012.
16. The Pay & Accounts Officer, Kolkata Pay & Accounts Office – III, IB Market, 1<sup>st</sup> Floor, Salt Lake, Sector –III, Kolkata – 700 106.
17. The Treasury Officer, \_\_\_\_\_
18. \_\_\_\_\_
19. Managing Director, M/s Saraswati Press Ltd., 11, B.T. Road, Kolkata-700056- for Gazette notification 100 copies.



(G. Samanta)

Joint Secretary to the  
Government of West Bengal.