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Government of Bihar
Rural works Department
NOTIFICATION

No. 1/अ०१०-12-27/2006-8123. Dated.....19-12-07

This notification on Bihar Contractor Registration Rules, 2007 is hereby published for the information of General Public. The notification issued by Rural works Department (R.E.O), Government of Bihar vide Memo No. 9689 Dt. 04-11-81 & Memo No. 113 Dt. 07-01-91 & memo no. 837 Dt. 25-05-04 is hereby superseded.

RULES

1. (i) These rules shall be called Bihar Registration of Contractors Rules, (Rural Works Department) 2007.
(ii) These rules shall be effective from the date of its Publication.
2. Contractors shall be registered in the following classes for the construction work of Roads and Bridges.

Class 1 : Eligible for tendering for Construction work of any amount.

Class 2 : Eligible for tendering for Construction work valued upto Rs. 3.50 Crore (Rupees Three and half Crore)

Class 3 : Eligible for tendering for Construction work valued upto Rs. 70.00 Lakh (Rupees Seventy Lakh)
3. The Registration fee for the above classes of Contractors shall be as follows :-

Class 1 : Rs. 2.00 Lakh (Rupees Two lakh only)

Class 2 : Rs. 1.00 Lakh (Rupees One Lakh only)

Class 3 : Rs. 25000.00 (Rupees twentyfive thousand only)

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- (a) The registration shall remain valid for 5 (five) years. During this period, contractor registered in lower class may get themselves registered in upper class by depositing the additional fee, if they so desire.
- (b) The Engineer-in-Chief, or an officer not below the rank of Chief Engineer, so notified by the State Government, shall be the registration officer.
- (c) Contractors registered in any of the above three Classes shall be eligible to tender anywhere in the State of Bihar for works related with Rural Works Department and its agencies.
- (d) Contractors registered in class-I and II may submit tender respectively in one class below.

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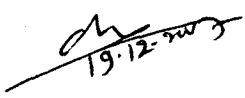
The following documents will be deposited by the contractor for registration.

- (a) Application form in requisite format as shown in Annexure 'A'
- (b) Photo copy of Permanent Account Number (PAN) of Income Tax Department.
- (c) Proof of Address as mentioned in the Application form.
- (d) Registration fee in the form of Bank Draft Payable in favour of “ **Under Secretary, Rural Works Department, Bihar, Patna**”
- (e) In case of a Partnership firm or a Public limited company, the copy of its registration certificate, name of partner/shareholders and partnership deed/company by-laws.

6.

No firm, Company or individual will be either registered as a contractor or registration will be renewed if the applicant or any member/share holder of the firm/company, is :-

- (i) a person who has been removed from Govt. service or a is Govt. servant under suspension.
- (ii) Blacklisted or demoted as a contractor/or a member of a firm/company which is blacklisted or demoted by any Department of Govt. of Bihar.
- (iii) any person who has been convicted of any offence.


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7. **Renewal :-**

Registration can be renewed after five years of depositing the desired fee as mentioned in Clause-3. Application form for renewal can be submitted one month prior to the expiry date of registration.

8. A grace period for submission of application form for renewal shall be one month after the expiry of the date of registration. During this period, the contractor will be entitled to submit the tender.

9. (a) Contractors already registered with the erstwhile Rural Engineering Organisation under different categories shall be required to get registered under the new rules within one year from the date of issue of the new registration rules, after which the existing registration and renewal shall lapse. Concession in fee equal to the amount deposited for the said previous registration will be given during new registration under new rules. They will also be required to submit the desired documents and fulfil the conditions of new rules.

(b) Contractors whose application for registration/renewal are pending, will be registered under the new rules. They will need to deposit, by a demand draft the difference of amount between registration/renewal fee for the particular category as per the new rules and the amount already deposited by challan earlier.

(c) Contractors already registered in Rural Works Department, until they get themselves re-registered under clause 9 (a) of this rule shall be eligible for Participating in tender upto ^{to} the amount earmarked for their old class.

10. **Application Form :-** Interested contractors shall apply for registration in the format as described in Annexure-'A'. The department shall issue the Registration Certificate as described in Annexure-'B'.

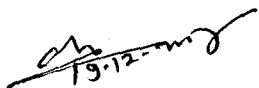
11. **Black-Listing and Suspension :-**

(a) Contractors registered in any of the classes shall be liable for black-listing or demotion to a lower class or suspension for a specified period if he personally or any partner of the firm or company, or any of its director(s) or employee(s) or representative(s) indulge (s) in any of the following malpractices :-

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- (i) Indisciplined behavior with any officer or employee of the concerned department.
 - (ii) Creating law & order problem in Government Office during receipt of tender papers, opening of tenders or any work related thereto;
 - (iii) Threatening or attacking any officer or employee of the department.
 - (iv) Participating in or boycotting tenders by forming a cartel.
 - (v) On failure to execute the agreement within the stipulated period after allotment of work if repeated on more than one occasion.
 - (vi) Failure to abide by conditions of Agreement and standing instructions therein during execution of work.
 - (vii) Subletting any work without consent of the department to another contractor or any other individual.
 - (viii) Selling Government material like Cement, Steel and Bitumen etc.
 - (ix) On submission of false or forged security as earnest money and forged documents.
 - (x) On being convicted for any criminal activity.
 - (xi) Submission of tender in such circle in which his close relative(s) is/are posted as divisional accountant or any officer not below the rank of junior engineer. Close relative means husband/wife /mother/father/ brother of sister.
 - (xii) In the event of a contractor being blacklisted by any other Government department.
- (b) (i) If any person as mentioned in clause 11(a) of this rule indulges in any malpractice as described in sub clause (i) to (v) of 11 (a) then the registration of the concerned contractor may be demoted to a lower class permanently. If he indulges in more than one malpractice as described in sub clause (i) to (v) of 11 (a) then the concerned contractor may be blacklisted.
- (ii) If any person as mentioned in clause 11(a) of this rule indulges in any malpractice as described in sub clause (vi) to (xii) of 11(a) then the concerned contractor may be black listed.

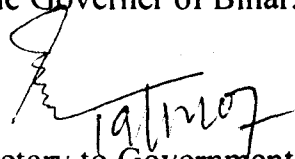

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- (c) Before black-listing or demoting or suspending any contractor, he shall be given an opportunity to show-cause.
- (d) The order for black-listing / suspension shall be passed by the officer who is competent to register the contractor or by the officer under whom the registering officer works.
- (e) The contractor can file an appeal within thirty days against the punishment related black-listing/demotion/suspension before the Commissioner and Secretary/ Secretary of the Department.
12. If a contractor fails to execute the agreement after allotment of work he will not be allowed to participate in a fresh tender invited for the same work.
13. Any change in the original details related to the registered individual/firm/company will require fresh registration on the part of the same.
14. Any Change in the name of Power of Attorney as mentioned in the application, shall require permission of the department.
15. In case of change of address from that mentioned in the application, the intimation of the same to the registering office shall be mandatory.

By order of the Governor of Bihar,

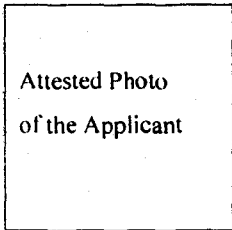


Additional Secretary to Government
Rural Works Department, Bihar, Patna.

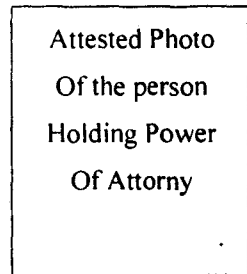
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PROFORMA OF APPLICATION FORM FOR REGISTRATION/RENEWAL OF CONTRACTORS.

1 Name of Applicant, Father's Name :
Nationality, Date of Birth and Full Address:



2. Name of the person holding 'Power of Attorney' and his nationality (Please attach the attested copy of the Power of Attorney)



3 Name of the partners and their nationality :

4. Class under which registration is sought :

5 Whether the applicant or any of his partners or shareholders is black-listed or suspended or was suspended in past or blacklisted in past :

6 Details regarding registration fee :

Bank Draft No. Date Value.....

Name of Bank.....

NOTES :-

1. Contractors shall not be eligible to tender in such Circle in which his close relative(s) is/are posted as Divisional Accountant or Junior Engineer or officer(s) superior to Junior Engineer. Any violation of this condition shall be sufficient to delist the name of the contractor.

2. Close relative means husband/wife, mother, father, brother, Sister.

3. I/We hereby Certify that my/ours Name has not been registered in any class of contractor/contractors of the department as yet.

Date.

Name of the applicant and Address

Important Informations

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Please attach the following along with the application form :

1. Photocopy of PAN attested by a gazetted officer.
2. Photographs in the application form should be attested by the gazetted officer.
3. Proof of Address
4. Bank Draft of registration fees in Original
5. Attested copy of Power of Attorney, if any.

Applications form for registration/renewal shall not be accepted without the above documents.

FOR OFFICE USE ONLY

Above mentioned Contractor Shri

Class

has been registered from datedto for

Rs.....

(Demand Draft no.....Dated Name of Bank)

Regarding Power of Attorney it has been mentioned by the above mentioned contractor that Shri/Messers.....C/o Shri/Messers..... address

has been awarded the Power of Attorney

Dated

Competent Authority

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ANNEXURE - "B"

GOVERNMENT OF BIHAR
RURAL WORK DEPARTMENT
CERTIFICATE OF REGISTRATION

Shri

Address :

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Attested
Photo of the
applicant

Attested
Photograph
of the person
holding
Power of
Attorney

is hereby registered in class for the period from
datetoas Contractor of Rural Works
Department.

Date-----

Competent Authority