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GOVERNMENT OF MIZORAM

PART I

Appointments, Postings, Transfers, Powers, Leave and other
personal Notices and Orders.

NOTIFICATION

No. MAP. 87/75/60, the 6th May, 1976. Under Rules 8 and 15 of the Rules for the procedure of officers appointed to Administer Justice in the Lushai Hills, published vide Notification No. 2530 (A) Ap. dated 25th March, 1937, the Lt. Governor of Mizoram is pleased to invest Shri Ringluia, E.A.C., Lunglei with the powers analogous to the Powers of Judicial Magistrate of the 1st Class as defined in the code of Criminal Procedure 1973 (Act of 1974).

Surendra Nath,
Chief Secretary
to the Govt. of Mizoram

GOVERNMENT OF MIZORAM

PART II

RESOLUTIONS, ORDERS, NOTIFICATIONS etc.
ISSUED BY HEADS OF DEPARTMENT AND HIGH COURT.

NOTIFICATION

No. PWE. 7/72/71, the 1st May, 1976. Whereas the Govt. of Mizoram have not framed any Code of its own for carrying out the provisions pertaining to the function, works, and matter ancillary there to of Public Works Department and

Whereas, in the absence of such Code, works cannot be properly and expeditiously taken up, and,

Whereas, it is considered that the Central P.W.D. Code may be suitable for the purpose with marginal and incidental changes suitable for the purpose with marginal and incidental changes suitable to the requirements of the Public Works Department under Government of Mizoram.

Now, therefore, the Lt. Governor (Administrator) of Mizoram is pleased to order that the Central P.W.D. Code as amended from time to time with the marginal and incidental changes as appended to this Notification in Schedule I shall be applied to and followed for the functions works and other matters ancillary thereto pertaining to the P.W.D. under the Government of Mizoram from the date of publication of this Notification in the official Gezette of Mizoram.

P.S. Bhatnagar,
Secretary
to the Govt. of Mizoram.

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C O R R I G E N D U M

No. P.W.A. 19/73/150, the 30th. April, 1976. In partial Modification of this Department Notification No. PWA—19/73/147 (A), the Lt. Governor of Mizoram is pleased to sanction the continuance of the following P.W.D. Divisions from 1-4-76 to 28-2-77.

- (1) Kolasib Division with Headquarters at Kolasib.
- (2) Aizawl West Road Division with Headquarters at Aizawl.

- (3) Saiha Division with Headquarters at Saiha.
 (4) Aizawl East Division with Headquarter at Aizawl.
 (5) Aizawl Mechanical Division with Headquarters at Aizawl.

This issues with the concurrence of Finance Department vide their No. FIN-52/76 Dt. 15-4-76.

J. PAZAWNA
 Under Secretary to the Govt. of
 Mizoram.

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SCHEDULE

General: All references to "Ministry of Works & Housing, Govt. of India's as well as references to "Govt. of India" in the CPW Code read as references to "The Administrative Department of PWD under Govt. of Mizoram". Excepting changes, as are mentioned below, all other provisions of CPWD Code have been considered to be workable for Mizoram PWD :--

Reference to paras of CPWD Code recommended to be changed with brief description of the contents of para.

Changes for adoption of Mizoram PWD.

1	2
Clause 2 of Sec. I Execution of all Original works and special repairs exceeding Rs. 2,500/-	Following note may be added to the paragraph :-- Notwithstanding any provisions of the above para, original works and special repairs may be executed by the concerned Departments of Govt. of Mizoram upto a monetary limit not exceeding Rs 5,000/- or as may be prescribed from time to time. Execution of such works will be done by the Departments without any help of PWD.
Clause 5 of Sec. II Composition of establishment of CPWD.	References in the paragraph to Indian Services of Engineers & Central Engineering & Central Electrical Engineering Services Class I & II may be substituted by Mizoram Service of Engineers. References to officers

of Central Secretariat Scheme and Central Secretariat Services Clerical scheme may be substituted by the Directorate & District level Ministerial staff.

Clause 7 of Sec. II Dismissal of Engg. subordinate who has passed out of College of Engineering, Roorkee.

This clause may be considered as inapplicable to Mizoram PWD.

Clause 11 of Sec. II Powers to sanction entertainment of staff on workcharged establishment.

(a) Following portion of the paragraph of CPWD Code "Provided however that Superintending Engineers and Divisional Officers may create a post only if the maximum of the sanctioned time scale does not exceed Rs 250/- and 100/- respectively" may be substituted by "provided however that Divisional officers may create a post only if the maximum of the sanctioned time scale according to Assam pay scale, applicable to Mizoram Govt. Employees does not exceed Rs 200/-".

(b) Note given below the paragraph of CPWD Code may be substituted by "Subject to foregoing conditions, Superintending Engineers are empowered to sanction creation in the work-charged establishment of posts, maximum of pay scale of which exceeds Rs 200/-".

Clause 27 of Sec. II Powers to close Divisions.

Reference to Chief Engineer, as appearing in the paragraph of CPWD Code may be substituted by "Govt. of Mizoram".

Clause 37 (a) of Sec. III-Duties of SE for recording certificates before final payments against the contract is made.

(i) Following portion of the paragraph of CPWD Code "Before final payment against a contract of Rs. 5 lacks and over for building works is made "may be substituted by" Before final payment against buildings works and contracts of Rs. 1.00 lack and above; runway work of Rs. 5.00 lacks and above; road work of Rs. 1.00 lack and above; and Horticultural works of Rs 25,000/-is made".

(ii) Following sub-paragraph of CPWD Code may be deleted :

"He is also required to record the above certificate in respect of contracts for building works exceeding Rs 2 lacks where such contract is in respect of technically

sanctioned estimate of Rs 5 lakhs and above. In the case of sanitary, electrical and horticulture works the Superintending Engineer concerned or the Director of Horticulture as the case may be are, however, required to record such certificates against all contracts of Rs 1 lakh and over”.

Clause 40 of Sec. III
Supervision and control of assessment of revenue.

The paragraph of CPWD Code may be substituted by:—
“Supervision and control of assessment of revenue from irrigation works and other sources will rest with the Head of Department to whom the Divisional officers will be directly responsible for this purpose”.

Clause 43 of Sec. III
Transfer of Divisional establishment with in the division.

The paragraph may be substituted by :— “The Divisional officers will have the powers to transfer ministerial staff SAs and Class IV staff from one station to another within his Division. For other categories, the Divisional officer may transfer the staff (other than SDOs) subject to the orders of SE”.

Clause 55 of Sec. III
Labour Officers.

This clause may be considered as inapplicable to Mizoram PWD.

Clause 56 of Sec. III
Chief Architect.

The paragraph of the CPWD Code may be substituted as under :—

“The design work in Mizoram PWD is divided in two parts :—

- (i) Architectural;
- (ii) Structural.

The architectural design is entrusted to Architect-cum-Town Planner and the structural design is carrier out for major works by SE (Designs Circle) and for works within the technical sanction competency of the Executive Engineers by EEs themselves with the help of Technical Branch of the Divisional offices.

The Architect-cum-Town planner works in close collaboration with the officers concerned with structural desining; Electrical & Aircondining Engineers, Client Departments etc. so that important aspect such as structural soundness of the architectural desinign, efficient provision of services, landscaping etc. are properly considered.

The Architect-Cum-Town Planner also carried out field inspections with regard to new constructions and advices the field staff for ensuring that the work is being carried out according to architectural plans and designs.

**Clause 57 of Sec III-
Surveyor of Work's
Organisation**

The paragraph of CPWD Code may be substituted as under :—

“Following are the main duties and responsibilities assigned to the SE (Designed Circle) :—

(i) **Estimates :** For road schemes, the estimates which are within the competence of Head of Deptt. will be processed by him. For RCC multi-storied buildings, the estimates and structural designs will be prepared by him. For bridges and culverts, all estimating and designing will be done by him.

(ii) **Nits :** Preparation of NIT papers for works which are within the competence of Head of Deptt. However, NITs for all bridges irrespective of the amount involved will also be prepared by him.

(iii) **Addl. items :** Checking of additional items/substitute items etc. which are within the powers of the Head of Deptt.

(iv) **Planning and design ng of important works :—**

(v) Preparation and examination of schedule of rates and specifications.

(vi) Examination of amendments and special conditions of contracts.

(iii) Inspection of works and detailed examination of expenditure thereon as and when desired by the Head of Department ”

**Clause 58 of Sec. III-
Chief Technical
Examiner**

This paragraph may be considered as inapplicable to Mizoram PWD.

**Clause 59 of Sec. III-
Central Works
Advisory Board**

The paragraph of the CPWD Code may be substituted as under :—

“Works Advisory Board for Union Territory of Mizoram has been constituted for advising the administration

in the matter of acceptance of negotiated or single tender contract upto Rs. 5 lakhs, in the matter of award of works to Registered Co-operative Societies without call of tenders and by negotiations ab-initio or after infructuous call of tenders upto Rs. 1 lakh, in the matter of scrutiny of Schedule of Works, in the matter of suggesting re-appropriations within the overall provisions made in respect of work for Union Territory for meeting expenditure on emergency works for which specific budget provision has not been made, and for contracts programming of works, consideration of estimates exceeding Rs 5.00 lakhs for building works before administration approval is accorded, etc.

The constitution of the Board comprises of Chief Secretary to the Govt. of Mizoram as Chairman, Finance Secretary, Secretary PWD as Members and the Chief Engineer PWD/Department concerned in the Union Territory as Member-Secretary.

Clause 60 of Sec. IV
Classifications of the
operations of CPWD.

Following note may be added at the end of the paragraph :-

“The limit of Rs 10,000/- under exception below sub-para (5), above is fixed for the works of Govt. of Mizoram.

Clause 75 of Sec. IV
Modifications in ex-
penditure sanction.

Following portion of the para- “any excess of more than 5% over the amount to which expenditure sanction has been given a requires a revised expenditure sanction” may be substituted by “any excess of more than 5% in case of works costing more than Rs 10 lakhs and 10% in case of other works, over the amount to which expenditure sanction has been given requires a revised expenditure sanction”.

Following note may also be added below the para :—

“For works estimated to cost upto Rs 50,000/-, any excess of 20% of Rs 1,000/- (whichever is less) will not require revised expenditure sanction”.

Clause 80 of Sec. IV
Original estimate found

The note below the para appearing in the CPWD Code may be substituted by— “For the purposes of the above

excessive.

para, the original estimate of a major construction work shall be considered excessive, if the savings on account of low tenders are more than 25% of the estimated cost of the work put to tender".

**Clause 87 of Sec. IV
Estimates.**

In sub-para (d) of the para of CPWD Code, reference to para 260 of Central Public Works Accounts Code may be substituted by para 10.5.8 of CPW Accounts Code 1965. In the sub-para (e) of this para of CPWD Code, reference to para 261 of CPW Accounts Code may be substituted by para 10.5.4 of CPW Accounts Code 1965.

**Clause 88 of Sec. IV
Provision in the estimate for contingencies and work-charged estt.**

Following portion of the para— "In addition to the provision for all expenditure which can be foreseen, 3% should be added to the estimate to cover the cost of unforeseen contingencies may be substituted by - "In addition to the provision for all expenditure can be foreseen, 5% should be added to the estimate to cover the cost of unforeseen contingencies".

**Clause 109 of Sec. IV
Preparation of repair estimates.**

Following portion of the para - "The Ministry of Works & Housing is competent to determine for what works, portions of works or groups of works separate repair estimates must be prepared" may be substituted by - "Govt. is competent to determine for what works, portions of works, or groups of works separate repair estimates must be prepared".

**Clause 145 of Sec. VI
Local purchase of articles for which Running Rate Contract exist.**

Following portion of the para — "Local/ Direct purchases may however be made by the Divisional Officers in such cases upto a limit of Rs 100 in each case and not exceeding in the aggregate Rs 1,000 in any one year if the stores are urgently required or can be more conveniently obtained locally or from a nearer station "may be substituted by — Local/ Direct purchases may however be made by the Divisional officers in such cases upto a limit of Rs 500 in each case and not exceeding in the aggregate Rs 5,000 in any one year if the stores are urgently required or can be more conveniently obtained or from a nearer station."

Following portion of the para.—“(7) Road metal, bricks, stone, marble and similar building materials, lime and sand and chalk” may be substituted by — “Road metal, brick, stone, marble and similar building materials such as timber ; GCI Sheets.; Iron rods ; flat irons, angle iron, structural steel sections ; plywood ; paints ; distemper barbed wire ; glass, sanitary fittings ; electrical goods like cables, fittings etc, line ; sand and chalk, even though articles of this type might be available on DGS & D Running Rate Contract.”

Clause 146 of Sec. VI — Powers of local purchase of stores.

The officers of PWD have been delegated powers to make local purchase as below :—

Sl. No.	Nature of power	Designation of the office...	Extend of power delegated.
(a)	Local purchase of stores not borne on DGS & D Rate/ Running contracts.	SDO's Ex Engineer.	Nil Rs 2,000/- per item subject to a ceiling of Rs 25,000/- per annum.
		Supdg, Engineer	Rs 5,000/- per item subject to a ceiling of Rs 25,000/- per annum per Dvision under the Circle in addition to the powers of the EE's.
		Head of Deptt.	Rs 25,000/- per item without any limit.
(b)	Local purchase of stores borne on the DGS & D Rate / Running contracts.	Ex. Engineer,	Rs 1,000/- per item subject to a ceiling of Rs 10,000/- per annum.