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NINTH MIZORAM LEGISLATIVE ASSEMBLY



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**COMMITTEE ON PETITIONS
(2024-2025)**

THIRD REPORT

Relating to

HIGHER AND TECHNICAL EDUCATION DEPARTMENT

Presented to the Speaker on 22.12.2025

Presented to the House on 23.02.2026

**Published by
Mizoram Legislative Assembly Secretariat, Aizawl**

(i)

CONTENTS

Sl no.		Page No.
1.	Contents	(i)
2.	Composition of Committee on Petitions	(ii)
3.	Introduction	(iii)
4.	Report	1-5
6.	Observation and Recommendation	6-7
7.	Summary of Recommendation	8

(ii)

COMPOSITION OF COMMITTEE ON PETITIONS
(2024-2025)

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Pu T Lalhlimpuia

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- | | | |
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| 5. Pu Vanlalfamkima Sailo | - | Under Secretary |
| 6. Pu John Lallawmsanga Sailo | - | Committee Officer |

INTRODUCTION

1. I, the Chairman, Committee on Petitions, as authorized by the Committee, present this Third REPORT to the Honorable Speaker of Mizoram Legislative Assembly.
2. This Report deals with a Petition praying for the retendering of projects for the construction of various assets at Government Colleges, that falls under Tender No. PM-USHA/GIEI/02 of 2025-2026, Tender No. PM-USHA/GIEI/01 of 2025-2026, PM-USHA/GTSC/02 of 2025-2026 and PM-USHA/GTSC/01 of 2025-2026.
3. The Departmental Discussion with the Department's representatives was held on 8th of October, 2025.
4. Annexures are kept in the Assembly Secretariat for reference.
5. The Committee places on record its appreciation of the assistance rendered by Officers and Staff of the Assembly Secretariat, Finance Department, as well as the sincere cooperation extended by the Higher and Technical Education Department, which enabled the Committee to form a concrete opinion on the matter under consideration.
6. The Committee examined and adopted this Report on the 19th of December, 2025.

T LALHLIMPUIA
Chairman
Committee on Petitions

REPORT

A petition signed by Pu Lalmachhuana Fanai, Pu C. Vanlalruatkima, Pu R. Vanlalchhuanawma, Pu Benjamin Lalsangliana Tochwawng, was received by the Chairman, Committee on Petitions on the 17th Sept, 2025. The petitioner filed a petition with the subject, "*State Project Director, PM-USHA Dt. 11/08/2025 tender chungchang complain-na leh re-tender tura ngenna*" which contested the credibility of tender selection by the Higher & Technical Education Department for various works under PM-USHA.

1.1 The Committee in its sitting on 25th September, 2025, examined the petition. After careful deliberation, The Committee, observed that the case is of general public importance, as the tendering of government projects is an ongoing process with significant economic consequences for the State. The Committee then made the following observations:

The Committee decided that the Department be directed to put on hold all the tendering processes addressed under the petition.

The Committee observed and noted that a second petition submitted by Pu RMS Dawngliana, Pu R. Lallawmkima, Proprietor R&B Construction & Consultancy, Pu Lalthlamuana Jahau, requesting not to re-tender may be disregarded. This observation was made in light of the possible flaws in the bidding system implemented by the Department and the allegations made by the petitioners regarding undue favouritism shown. The non-submission of sealed documents and the absence of a due date on the tender documents, as required by the CPWD manual, as contended by the petitioners, was duly noted by the Committee.

The Committee further observed and commented on whether the Assistant Engineer is qualified or in a position to conduct the tendering of such an amount, and decided that the Department be directed to clarify the same.

The Committee noted that tendering of government projects usually follows CPWD manual other than certain specific projects like PMGSY and World Bank. However, the bidding of tender followed under PM-USHA appears to be inconsistent with CPWD manual and PMGSY or World Bank projects, as it seems to borrow ideas from each without proper guidelines. This, according to the Committee, could be abused by the bidding authority to show favouritism to certain bidders.

The Committee decided that all documents relating to tendering including technical and financial bids by the bidders be sought from the concerned Department.

The Committee also decided to seek information from the Department regarding the number of projects that the concerned AE has taken up, if any, under RUSA. Furthermore, the Committee decided that the Department should clarify under whose authorization the AE conducted the bidding.

The Committee noted that, if the officials in the case under examination are eventually found to be involved in malpractice, the Committee should consider terminating the involvement of the concerned official in such an issue.

The Committee deliberating on the fact that the Government had incurred a loss of GST due to "Departmental works". The Committee noted with dismay the reason the "Departmental works" route was taken by the Department and under whose authority it was taken. And also a copy of the latest OM/Notification issued relating to execution of works by the non-works Department having technical personnel, as well as the extent of financial authority allotted to them.

The Committee decided that the Finance Department be directed to comment and provide details on the qualification of the bidders, including how they met the criteria under the Empanelment of Consultancy Firms issued by the Government, viz. JHM Enterprise, R&B Construction, RMS Construction & Consultancy, Tiberia, Sky Builder, VRS Construction, Royal Construction, and comment on the verification made by the Department for their empanelment as a consultancy firm.

The Committee decided to conduct a Departmental Discussion with Higher & Technical Education Department on the 8th of October, 2025, at 2PM.

1.2 The Committee conducted a Departmental Discussion with representatives of the Higher & Technical Education Department on the 8th of October 2025, following are the extract of the minute of the meeting:

"Answering to the Committee's query that under whose authority were the Gender inclusion & equity initiatives under PM-USHA taken up by the non-works Department and whether there is any laid-out provision of rules, or guidance, that permits such, the representative stated that all formalities requiring the Finance Department's concurrence, PWD vetting, and other necessary authorities have been completed.

Upon hearing the statement regarding vetting of necessary documents by technical departments, the Committee further questioned whether the said technical persons from works Department were present during opening of the bid documents: The Committee further questioned whether the Finance and Accounts Officer accompanied by the AE were qualified to open the bidding documents for the tender of such amount.

The representatives replied by stating that tender documents is usually opened by the concerned Department in the presence of SPD/ Director level. This practice, according to the representative, is currently followed by various departments.

The representative further stated that even after the bidding process is done, it still needs to be approved by the State Project Monitoring Committee, chaired by the Chief Secretary.

The representative stated that the state PWD was not invited during the opening of the bidding documents.

The Committee further enquired about the manual used by the Department in drafting the Notice Inviting Tender and the guidelines thereof. The representative replied by stating that he is not aware of which manual or guideline is used.

Quoting the Petitioner's statement, which stated that the NIT mentioned the necessity for providing "sealed tender" and that upon contesting the unsealed tenders of bidders, the AE stated that they have to be overruled because such has been accepted in the past. The Petitioners further stated that this act in itself violates the Notice Inviting Tender duly approved by the SPD, PM-USHA cum Commissioner & Secretary, H&TE Department, Government of Mizoram. The Committee invited the comment of the representative regarding the same. (para 1.3.2 of 10th sitting minute)

The representative highlighted his consultation of various senior retired PWD officers like Pu Hrangthanga and others in general regarding the same. The fact that there is no proper definition for a "sealed tender" available was highlighted, and that the adopted convention of accepting tender sealed in cello tapes and others was commonly followed.

The representative further stated that the opening of the bid was still at an initial stage and that the State Purchase Advisory Board (SPAB), chaired by the Chief Secretary, still has to scrutinise the issue, and the bid can be formally awarded only after approval by the SPAB.

Enquiring the contended point made by the Petitioner regarding the violation of point number 5 of the Notice Inviting Tender, wherein the Petitioner stated that when they requested the officials not to open the documents without the due date on the envelope as required by the mentioned point. The representatives stated that the due dates were not on some of the bidding documents as required by point no 5 of the NIT,

The Committee further learned that the points 5 and 36 of the Notice Inviting Tender seemed to contradict each other because although point 5 of the NIT mentioned that, "both the envelopes shall be submitted together in another sealed envelope with the name of work and due date of opening written on it", point 36 which shows example relating to "sealing & Marking of bids" on the envelope does not mention the due date.

Therefore, the Committee noted the inconsistencies in the NIT itself which is not strictly based on any existing manual and seems to be stitched up from various guidelines. This, according to the Committee, calls for revision of the Notice Inviting Tender with proper Technical Vetting. (para 1.3.3 of 10th Sitting Minute)

The Committee enquired whether the Department is satisfied with the works of the AE in previous projects like RUSA 1.0, RUSA 2.0 and PM-USHA as mentioned in their reply. The Committee further questioned whether an Assistant Engineer is qualified to monitor such works and whether there is any Audit Objection raised by the CAG.

The representative stated that, apart from the eligibility and qualification of an AE to supervise such works, he has monitored the mentioned project on behalf of the Department. The representative stated that in his purview, there has been neither satisfaction nor dissatisfaction with the projects that have been undertaken under the AE. The representatives also stated that the AE has been invited to be part of project approval board at the National level and that the state's performance under RUSA has been best amongst other states in India.

The Committee, however, stated that it does not accept the justification made by the representatives. Inviting a reference to the NIT of the project, the Committee quoted the statement wherein it was stated that in areas not covered by the NIT, CPWD manual shall be followed. However, it was observed that, in the case of the qualification of only one proprietor retendering as required by CPWD manual was not highlighted and the same situation not addressed in the NIT didn't amount to retendering of CPWD manual as should have been followed by default.

The Committee further noted and observed the statement of the representative himself, who stated that all of the bidders have ground for disqualification, one way or the other, but exemption was made for the possible ground for disqualification in which those awarded tender could've been disqualified, which was not signing the due date, along with some other grounds on the envelope.

The Committee asked the representative regarding their opinion on the matter and asked them what should be done in their opinion as a head of department and Administrative Head. The Commissioner and Secretary to the Govt. of Mizoram, and the Director, Higher & Technical Department, requested that re-tendering be avoided to save time in order for them to meet their deadlines.

The Committee then examined the bid document for tender in the Committee room with the assistance of the Secretariat.

The Committee, therefore, found it reasonable to recommend re-tendering altogether.

However, it will be decided in the review meeting.

A verbatim record of the proceedings is kept in the Secretariat for reference. (para 1.3.4 of 10th Sitting Minute) ”

1.3 The Committee in its sitting on the 4th December, 2025, examined the reply received from Finance Department regarding the qualification of empanelment of consultancy firms involved in the tendering of projects under PM-USHA for construction of various assets at Government Colleges. An extract of the meeting minute is highlighted below:

“The Committee noted the letter which conveyed the copies of Technical Report and Minutes of the meeting of Empanelment Board in respect of the firms under consideration in the petition viz – JHM Enterprise, R&B Construction, RMS Construction & Consultancy, Tiberia, Sky Builder and VRS Construction, along with their engagement and execution of various works under the Govt. of Mizoram.

The Committee learned that some of the firms did not initially qualify under the empanelment standards for Preparation of Detailed Project Reports, Project Supervision & Monitoring, Execution of Construction works, and Information Communication Technology/IT Project Implementation. However, the meeting of empanelment board to examine EOI received for empanelment for execution of various works held on 01.08.2024 at 12:00P.M in the office chamber of the Finance Commissioner under the Chairmanship of the Finance Commissioner -cum- Chairman, Empanelment board has made certain relaxations in the required work experience (vide Notification No.A.46011/1/2024-F.EST dated 18.04.2024), and approved the Consultancy Firms/Contractors. It further noted that the empanelment board further adjusted certain firms to a grade lower than the applied due to a lack of the required qualification.

The Committee further noted the fact conveyed by the letter from the Finance Department, which stated that "Royal Construction" does not appear in the list of Empanelment Firms under the Finance Department. The Committee noted with caution and contemplated whether an unempanelled firm was entertained for bidding or the name of the empanelled firm "**Royal Consultancy Services**" (certificate number no.ECW/2024-2027/A/46, dated 9th Sep, 2024) was misspelt by the Department in their Comparative Statement. Either of which is a serious issue.

The Committee observed that in the Press Tender Notice issued by Pu H Lalengmawia, IAS, SPD, PM-USHA -cum- Commissioner & Secretary, H&TE Dept, GoM, dated 11th August, 2025, the requirement was to be a reputed empanelled firms "Group A" under Govt. of Mizoram experienced in similar type of works. Thus, the Committee noted that if an unempanelled firm was entertained, it should be seriously addressed.

The Committee then decided, and reiterated its earlier decision, to draft a Report recommending re-tendering the projects under PM-USHA. The Committee further decided that a sitting be convened on the 19th of December, 2025 to adopt and present the Report to the Hon'ble Speaker, Mizoram Legislative Assembly.

The Committee decided to make a recommendation that proper drafting be done for the Notice Inviting Tender with proper standards and manual maintained keeping in mind existing government orders and rules with utmost sincerity. Furthermore, the drafted NIT should be vetted by Mizoram PWD and Law and Judicial Department.

The Committee reiterated its earlier observation regarding the need to follow a proper manual and not a synthesis of various manuals, which seems to be oriented towards a vested interest."

OBSERVATION AND RECOMMENDATION

1.4 The Committee observed its earlier opinion, in which the Committee does not accept the justification made by the representatives, wherein they conveyed their satisfaction with the works of the concerned AE, which includes drafting of the Tender Document. Inviting a reference to the NIT of the project, the Committee quoted the statement wherein it was stated that in areas not covered by the NIT, CPWD manual shall be followed by default (no 12 of NIT).

However, the Committee noted that although the Notice Inviting Tender did not specify what to do in case where only one proprietor is left out due to the disqualification of competitors, the CPWD manual would require re-tendering. The Committee further observed that the Department did not call for re-tendering, and that the only remaining firm was declared qualified for the job.

1.5 The Committee observed that in the Press Tender Notice issued by Pu H Lalengmawia, IAS, SPD, PM-USHA -cum- Commissioner & Secretary, H&TE Dept, GoM, dated 11th August, 2025, the requirement was to be a reputed empanelled firms "Group A" under Govt. of Mizoram experienced in similar type of works. Thus, the Committee noted that if an un-empanelled firm was entertained, it should be seriously addressed. This observation was made due to the fact that "Royal Construction" was mentioned in the Comparative Statement made by the Department, which, according to the Finance Department, was not in the list of the Empanelment of Firms.

However, the the Committee noted with caution and contemplated whether an un-empanelled firm was entertained for bidding or the name of the empanelled firm "Royal Consultancy Services" (certificate number no.ECW/2024-2027/A/46, dated 9th Sep, 2024) was misspelt by the Department in their Comparative Statement. Either of which is a serious issue.

1.6 The Committee recommends that proper drafting for the Tender Document be done with proper standards and a proper manual be followed, keeping in mind existing government orders and rules with utmost sincerity. Furthermore, the drafted NIT should be vetted by the Mizoram PWD and the Law and Judicial Department.

1.7 The Committee reiterated its earlier observation regarding the need to follow a proper manual and not a synthesis of various manuals, which invites possible allegations of being oriented towards a vested interest. **The Committee therefore recommends that the Notice Inviting Tender, Purchase Receipt of tender Document, Comparative Statement, and all other guidelines be established based on proper guidelines and/or as per information circulated by the competent authority.**

1.8 The Committee recommends that the definition of a “sealed” and “unsealed” tenders be given in the Notice Inviting Tender and/or guidelines.

1.9 The Committee recommends that the projects for the construction of various assets at Government Colleges, that falls under Tender No. PM-USHA/GIEI/02 of 2025-2026, Tender No. PM-USHA/GIEI/01 of 2025-2026, PM-USHA/GTSC/02 of 2025-2026 and PM-USHA/GTSC/01 of 2025-2026 be re-tendered.

SUMMARY OF RECOMMENDATION

1.6 The Committee recommends that proper drafting for the Tender Document be done with proper standards and a proper manual be followed, keeping in mind existing government orders and rules with utmost sincerity. Furthermore, the drafted NIT should be vetted by the Mizoram PWD and the Law and Judicial Department.

1.7 The Committee therefore recommends that the Notice Inviting Tender, Purchase Receipt of tender Document, Comparative Statement, and all other guidelines be established based on proper guidelines and/or as per information circulated by the competent authority.

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