

ANDAMAN & NICOBAR ADMINISTRATION SECRETARIAT

NOTIFICATION

Port Blair, dated the 20th January, 2012

No. 07/2012/F.No.6-6(1)/2003-PR.—Whereas, the draft notification of Andaman and Nicobar Islands (Grant-in-aid to Panchayati Raj Institutions) (Amendment) Rules, 2012 were published vide Notification No. 6-6(1)/2003/PR dated 22nd July, 2011 as required under Sub-section (1) Section 202 of the A&N Islands (Panchayats) Regulation, 1994 (No. 1 of 1994) read with Section 35, 129, 168 thereof and Rule 20 of the Delegation of Financial Powers Rules, 1978 inviting suggestions/objections from the persons likely to be affected;

And, whereas, suggestions/objections were received from general public, Panchayat Raj Institutions and Associations etc.;

And, whereas, the said suggestions/objections were carefully considered by the Lt. Governor (Administrator), Andaman and Nicobar Islands;

Now, therefore, in exercise of the power conferred under Section 202 of the said Regulation, I, Bhopinder Singh, Lt. Governor (Administrator), Andaman and Nicobar Islands hereby makes the following rules further to amend the existing A & N Islands (Grant-in-aid to Panchayati Raj Institutions) Rules, 2010 with immediate effect, namely:

ANDAMAN & NICOBAR ISLANDS (GRANT-IN-AID TO PANCHAYATI RAJ INSTITUTIONS) (AMENDMENT) RULES, 2012

1. Short Title & Commencement:-

- (i) These Rules may be called the Andaman & Nicobar Islands (Grant-in-aid to Panchayati Raj Institutions) (Amendment) Rules, 2012.
- (ii) They shall come into force on the date of their publication in the Official Gazette.

2. The Andaman & Nicobar Islands (Grant-in-aid to the Panchayati Raj Institutions) Rules, 2010 (hereinafter called, "the said Rules"), the existing Rules 2 to 18 shall be substituted/inserted/deleted/ titled and re-arranged as under:

2. Definitions:-

In these rules, unless the context otherwise requires:

- (a) "Administration" means the Andaman and Nicobar Administration;
- (b) "Administrative approval" means the formal approval by the PRIs on the necessity of works proposed through its resolution;
- (c) "Administrative Approval & Expenditure Sanction", means the memorandum duly signed and issued by the Panchayat Secretary/Executive Officer/Chief Executive Officer as the case may be with the approval of the concerned heads of PRIs or other Competent Authorities subject to the conditions laid down in item 2 of the Schedule I based on the technically vetted estimate subject to the conditions laid down in item 1 of the Schedule I.
- (d) "Administrator" means the Administrator of the Union Territory of the Andaman and Nicobar Islands appointed by the President under article 239 of the Constitution;
- (e) "Competent Authority" in relation to technical sanction and administrative approval and expenditure sanction are the authorities specified in item 1 and 2 of the Schedule-I of these rules respectively;
- (f) "Director Panchayats" means the officer who is appointed by the Administrator as Director in the Panchayats Department in the Union Territory;
- (g) "Gram Panchayat" means a Gram Panchayat constituted under Sub-section (1) of section 11 of the Andaman and Nicobar Islands (Panchayats) Regulation, 1994;
- (h) "Original works" means new construction as specified in Schedule -II of these rules;

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- (i) "Other works" means works other than "Original works" and also includes periodical repairs and maintenance of works;
- (j) "Panchayats" means Gram Panchayat, Panchayat Samiti and Zilla Parishad;
- (k) "Panchayati Raj Institutions (PRIs)" means institution of Gram Panchayat, Panchayat Samiti and Zilla Parishad;
- (l) "Panchayat Samiti" means a Panchayat Samiti constituted for a block under Section 106 of the Andaman and Nicobar Islands (Panchayats) Regulation, 1994;
- (m) "Secretary, Panchayats" means the Officer who is appointed by the Administrator as Secretary in the Panchayats Department in the Union Territory;
- (n) "Society" means Un-employed Co-operative Society / Co-operative Society having civil construction work as one of its objective registered under Section 8 of Andaman & Nicobar Islands Co-operative Societies Regulation, 1973 in the Office of the Registrar of Co-operative Societies by completing all the formalities and thereafter enrolled with the Panchayati Raj Institutions;
- (o) "Technical sanction" means sanction of the competent authority to the detailed plans and estimates of the PRI works before the Administrative Approval & Expenditure Sanction is received, which shall ensure the proposals are structurally and technically sound and the data and calculations in the estimates are correct;
- (p) "Zilla Parishad" means a Zilla Parishad constituted under Section 144 of the Andaman and Nicobar Islands (Panchayats) Regulation, 1994.

3. Purpose for which Grant-in-aid to be sanctioned:-

- (a) Grant-in-aid shall be sanctioned for all or any of the schemes specified below:

- (i) **In respect of Gram Panchayat:** All schemes/works specified in the Second Schedule of A & N Islands Panchayat Regulation, 1994 including any addition/alteration/deletion made thereon and notified from time to time.
- (ii) **In respect of Panchayat Samiti :** All schemes/works specified in the Fifth Schedule of A & N Islands (Panchayats) Regulation, 1994 including any addition/alteration/deletion made thereon and notified from time to time.
- (iii) **In respect of Zilla Parishad :** All schemes/works specified in the Sixth Schedule of A & N Islands (Panchayats) Regulation, 1994 including any addition/alteration/deletion made thereon and notified from time to time.

- (b) Grant-in-aid may also be sanctioned to meet:

Repairs of assets created, salary of the officers and staff posted in PRIs, Honorarium, TA/DA of elected representatives, office expenses and other charges like payment of electricity charges, telephone bills and Government dues as the Administrator may consider necessary.

- 4. (a) **Quantum of Grant-in-aid :-** The amount of Grant-in-aid to PRIs may be in full for the estimated cost of works as technically approved by the competent authority and for the salary expenditure, honorarium to elected members or in partial as the Administrator may consider fit and proper:

Provided that the Administrator may, for financial or other specific reasons to be recorded in writing, reduce the percentage of Grant-in-aid or reject an application made under rule 5(a).

- (b) The Director, Panchayats after ascertaining the necessity of funds of concerned PRI may reduce the allotment of fund or allot additional fund to that PRI under various sectors with the approval of the Administrator without disturbing the ratio among the three tiers of PRIs prescribed in the notification issued from time to time.
- (c) Grant-in-aid may also be sanctioned to PRIs against actual revenue of individual Gram Panchayat/ Panchayat Samiti / Zilla Parishad as "Matching Grant" based on the revenue collected during the previous year in the ratio of 1 (Revenue): 3 (Matching Grant). However, the Administrator reserves the right to increase or decrease the ratio of Revenue and Matching Grant at any time after recording the reasons in writing to do so.

Explanation: "Revenue" includes the taxes, duties, tolls, cess, fees etc. mentioned in Section 37, 128 and 170 of the Regulation and shall also include the income from their own sources such as rent, hiring charges etc., but shall not include donation, interests from deposits and grants.

5. (a) **Procedure for making applications for Grant-in-aid:-** Every application for **Grant-in-aid** shall be submitted by the PRIs directly to the Director, Panchayats with the joint signatures of Panchayat Secretary & Pradhan, Executive Officer & Pramukh, Chief Executive Officer & Adhyaksh as the case may be in Form 'A' as specified in Schedule-III.

(b) **Procedure for making application for Matching Grant:-** Application for Matching Grant shall be submitted by the PRIs directly to the Director, Panchayats with the joint signatures of Panchayat Secretary & Pradhan, Executive Officer & Pramukh, Chief Executive Officer & Adhyaksh as the case may be in Form 'B' as specified in Schedule-III, duly supported by extract of audit report in respect of actual revenue collected during the previous year. If the audit is not conducted, PRIs should submit the revenue collection certificate with the joint signature of Panchayat Secretary & Pradhan in the case of Gram Panchayats, Assistant Accounts Officer & Executive Officer in the case of Panchayat Samitis and Chief Accounts Officer & Chief Executive Officer in the case of Zilla Parishad. These certificates shall be ratified during the regular audit.

(c) **Checks to be ensured before submitting the Grant-in-aid applications:-**

The following checks shall invariably be done by the Panchayat Secretary/ Executive Officer/Chief Executive Officer as the case may be before submitting the Grant-in-aid applications:-

- Whether the application is made in the prescribed format and in complete shape.
- Whether all the required information and the documents as specified in the format has been enclosed with the application.
- Whether the Action Plan in Schedule IV with the approved works by Gram Sabha, included in Annual Plan is attached with the application.
- Whether the particulars given in the opening balance in the Utilisation Certificate are correct.
- Whether the interest earned by the PRIs is taken into account in the respective sector and included in the Utilisation Certificate.
- Whether the revenue collected in the previous year is indicated duly supported by extract of audit report/ certificate specified in Rule 5 (b) these Rules for Matching Grant.

6. **Procedure for sanctioning Grant-in-aid:-**

- On receipt of an application made under Rule 5(a) for Grant-in-aid, the Director, Panchayats shall cause such enquiry as he thinks fit to be made into the statements contained in the application and into the purpose for which **Grant-in-aid** is applied for and after being satisfied forward the application alongwith his/her recommendations to the Secretary, Panchayats or such other Officer-in-Charge of Panchayats Department in the Administration. He/She shall make such scrutiny or enquiry about the statements made therein as he/she may think fit and after satisfying himself/herself recommend the case to the Administrator.
- If it appears to the Administrator that the work proposed to be executed with the **Grant-in-aid** can very well be met by the PRIs from its own resources or that there is lack of sufficient funds with the sanctioning authority or for any other specific reasons, to be recorded in writing, he may reject the application.
- If it appears to the Administrator that the financial assistance is needed for any one of the purposes indicated in Rule 3, the Administrator may, after such inquiry as he deems necessary, accord sanction of **Grant-in-aid** with due regard to the principles enunciated in the General Financial Rules, 2005, as amended from time to time and also impose special condition if required.

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- (d) On receipt of application made under Rule 5(b) for Matching Grant, the Director, Panchayats shall make such scrutiny or enquiry as he thinks fit to be made into the statement of actual revenue indicated in the audit report/revenue certificate submitted as per Rule 5(b) and after being satisfied, forward the application along with his recommendation through the Secretary Panchayats or such other Officer-in-Charge of Panchayats Department to the Administrator.
- (e) The **Grant-in-aid** application so received under Rule 5 (a) and 5 (b) shall be processed by the Director, Panchayats and orders of the Administrator thereof shall normally be communicated within 60 days.
- (f) The **Grant-in-aid** shall not be sanctioned to the PRIs in case the utilisation certificate in Form 'D' as specified in Schedule-III and Action Plan as specified in Schedule IV of these rules, are not furnished alongwith the **Grant-in-aid** application.
- (g) If any, unauthorised expenditure is noticed by the Administration, then an equal amount shall be reduced from the subsequent Grants for that sector.
7. (i) **Mode of payment of Grant-in-aid:-** The Grant-in-aid including Matching Grant to PRIs may be paid in one full installment or more at the discretion of the sanctioning authority, subject to the following conditions:
- (a) If the execution of an original work taken up by the PRI is likely to be spread over a period of more than one financial year, only the amount required for execution of work during that financial year would be released keeping in view the progress of the work.
- (b) If the execution of work taken by PRI is likely to be completed within that financial year, the entire amount shall be released to the PRI concerned.
- (ii) The **Grant-in-aid** under Rural Water Sector shall be released to the PRIs on the basis of the report of estimated cost of project by the concerned Executive Engineer of Gram Panchayats / Panchayat Samitis / Zilla Parishads alongwith his recommendation.
- (iii) If the work of laying new pipeline is proposed by the PRIs where the water source is maintained by APWD, they shall obtain "No Objection Certificate" in Form 'E' as prescribed in Schedule-III from the Executive Engineer, APWD of the respective area in order to avoid duplication of work.
8. **Utilisation of Grant-in-aid including Matching Grant:-**
- a) The **Grant-in-aid** shall be utilized only for the purpose for which it is granted. However, if the whole or any part of the Grant-in-aid deposited with the banks in fixed deposit for the work which could not be carried out for reasons like non-availability of sanctions, land, materials or any other administrative reason, the interest earned thereon shall be taken to the same account so as to off set cost escalation caused due to delay in starting the work. The PRIs shall not utilise the interest so earned for any other purpose.
- b) The **Grant-in-aid** in full or any portion of the amount which is ultimately not required for expenditure for the purpose for which it is sanctioned shall be duly surrendered to the Administration together with interest accrued thereon in lumpsum.
- c) No work shall be commenced and no liability shall be incurred in connection with any work until and unless administrative approval and expenditure sanction is accorded by the competent authority. The mere provision in the budget estimate shall not give any authorization for the commencement of the work.
- d) The **Grant-in-aid** shall be utilised within a period of twelve months from the date of receipt of sanction of the same, and Utilisation Certificate should be submitted as per Rule 212(1) of GFR 2005 except in cases where time limit exceeding one year has been fixed by the sanctioning authority:
- Provided that the Administrator may, if considered necessary, extend the time limit for any period not exceeding one year at a time.
- e) The fund allotted to the PRIs as **Grant-in-aid** shall not be diverted or loaned or temporarily transferred or in any other manner from one sector to other sector, without the approval of the Administrator.
- f) In addition to the above conditions, the principles laid down in Rules 206 to 214 of the General Financial Rules, 2005 and the instructions issued by the Ministry of Finance, Government of India/Administration from time to time in respect of financial matters as applicable to the Line Departments of the Administration shall be equally applicable to PRIs for expenditure out of **Grant-in-aid** and other funds of PRIs.

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- g) The electricity charges/telephone bills and any other Government dues shall not be withheld in any circumstances by the heads of PRIs when funds are available with them. Where such dues have not been settled despite availability of funds the Administration shall be at liberty to withhold an equal amount so as to make necessary adjustments.
- h) The payment of bills of the completed works shall be cleared by the PRIs in seriatim i.e. the bill received first shall be cleared first; the bill received second shall be cleared second and so on. The AE/EE shall maintain a register of Running Account Bill/Final Bill submitted to PRIs with date of submission/resubmission as the case may be and the PRIs shall also maintain a register indicating the clearance of bills with date of passing and issuance of cheque.

9. Procurement Process :-

- (i) In respect of Gram Panchayats, the Panchayat Secretary & Pradhan shall jointly have powers to purchase goods upto the value of ₹ 15,000/- (Rupees Fifteen thousand only) on each occasion without inviting quotations or bids on the basis of a certificate to be recorded by them jointly as prescribed in Rule 145 of GFR 2005.
- (ii) Any purchase exceeding ₹ 15,000/- and upto ₹ 1,00,000/- (Rupees One lakh only) shall be made only after a resolution is passed by the Gram Panchayat, however no such resolution shall be passed for more than one purchase in a single meeting.
- (iii) For purchases exceeding ₹ 1,00,000/- (Rupees One lakh only), notice inviting tender shall be published compulsorily in The Daily Telegrams, Dweep Samachar, on the notice board of the Govt. offices/ establishments in that locality and the website of the Administration by the Panchayat Secretary of the Gram Panchayat concerned.
- (iv) During a financial year, expenditure on purchases including street light materials, Annual Maintenance Contract and office expenses of the Gram Panchayat shall not exceed 30% of the total amount released as Grant-in-aid under General Sector.
- (v) The Panchayat Secretary and Pradhan shall jointly have power to incur expenditure in each case upto ₹ 15,000/- for contingent expenditure subject to availability of fund and after observing codal formalities as per GFR 2005 as amended from time to time. Contingent expenditure exceeding ₹ 15,000/- shall be incurred only after passing a resolution in the Gram Panchayat, however no such resolution shall be passed for more than one purchase including different items at a time. The contingent expenditure shall be as defined in Delegation of Financial Powers Rules, 1978 as amended from time to time.
- (vi) In respect of Panchayat Samiti, the Executive Officer shall have powers at par with Head of Office in the Administration for sanction of expenditure except for works, subject to availability of funds in the Budget under the relevant head and the restrictions and conditions as laid down for Head of Office contained in Admn's Order No.253 dated 29.01.2009 and as amended by the A & N Administration from time to time. The contingent expenditure beyond the power of Head of Office as stipulated in Office Order No. 253 dt. 29.01.2009 shall be incurred only after passing resolution in the Panchayat Samiti. However, no such resolution shall be passed for more than one purchase including different items at a time. The Contingent Expenditure shall be as defined in Delegation of Financial Power Rules, 1978, and as amended from time to time.
- (vii) In respect of Zilla Parishad, the Chief Executive Officer shall have powers at par with the Head of Department in the Administration for sanction of expenditure except for works, subject to availability of funds in the Budget under the relevant head and the restrictions and conditions as laid down for Head of Department contained in the Admn's Order No. 253 dated 29.01.2009 and as amended by the Administration from time to time.

10. Implementation of Schemes/Execution of Works:-

- a) The work shall be implemented as per the Action Plan submitted to the Administration under the supervision of the technical staffs of PRIs/Line departments as the case may be. Work shall be carried out with the supervision of technical staffs at every stage.
- b) The Form 'C' as prescribed in Schedule- III shall be certified by the Panchayat Secretary & Pradhan, Executive Officer & Pramukh and Chief Executive Officer & Adhyaksh as the case may be on completion of the original work. The portion of completion/stability certificate in Form 'C' shall be certified by the concerned Junior Engineer /Assistant Engineer/ Executive Engineer and Technical Staff of Line departments as the case may be. It is mandatory that the Panchayat Secretary/Executive Officer/ Chief Executive Officer shall get the certificate within 3 months from the date of completion of the work.

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- c) The guidelines contained in the Central Public Works Account Code and the General Financial Rules, 2005 regarding calling of tenders of execution of works, etc. shall mutatis mutandis apply for the Panchayat works.

11. Asset Creation, Operation and Maintenance:-

- a) In all cases of assets created by or transferred to the PRIs, the responsibility for maintenance of such assets shall lie with the respective PRI.
- b) The **Grant-in-aid** released for maintenance shall be utilized only for maintenance of assets already created by or transferred to the PRIs.

12. Audit and Accounting System:-

- a) The Administration shall audit the accounts of the PRIs through the Local Fund Audit of the Administration. The Local Fund Audit shall also audit the revenue collection of PRIs and issue a certificate. The Administration may also appoint independent agency, if necessary, for ascertaining and to ensure whether the **Grant-in-aid** given to the PRIs are duly utilized for the purpose for which it is sanctioned and the unutilized balance and the interest earned thereon is spent in accordance with these rules as well as the General Financial Rules, 2005, as amended from time to time.
- b) The accounts of PRIs shall be open to test check by the Comptroller and Auditor General of India at his discretion and by any other officer authorized by the Administrator in this behalf.
- c) The PRIs shall follow the provisions of A & N Islands (Panchayat Accounts & Finance) Rules, 1997 amended from time to time for receipt and disbursement of **Grant-in-aid** and remittance into the Bank and operation of Accounts.

13. Management of Records and submission of Performance Report:-

- a. The PRIs shall maintain a register in Form 21 & 24 appended to A & N Islands (Panchayat Accounts & Finance) Rules, 1997 for movable and immovable assets acquired wholly or mainly out of Grant-in-aid. Panchayat Secretary /Executive Officer/ Chief Executive Officer shall ensure that the asset register is updated time to time on completion of each and every work and quarterly progress report shall be submitted to Director, Panchayats in an abstract form as prescribed by him/her from time to time on or before the 10th day of the following month.
- b. The concerned Executive Engineer of Gram Panchayats/Panchayat Samitis/Zilla Parishads shall submit quarterly progress reports with physical and financial updation in an abstract format on execution of works to the Director Panchayats. These reports shall be furnished as below:-
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| 1 st quarter | - | by 15 th July |
| 2 nd quarter | - | by 15 th October |
| 3 rd quarter | - | by 15 th January |
| 4 th quarter | - | by 15 th April |
- c. The PRIs receiving **Grant-in-aid** shall submit an annual performance-cum-achievement report about the progress and implementation of various schemes executed by them. The report shall be submitted to the Director, Panchayats on or before 30th June of every year.
- d. EEs of Gram Panchayats/Panchayat Samitis/Zilla Parishads shall maintain record of the works awarded by PRIs to the Un-employed Co-operative Societies/Co-operative Societies having civil construction work as one of its objective and shall submit the quarterly progress report of the same to the Director, Panchayats. These reports shall be furnished as below:-

1 st quarter	-	by 15 th July
2 nd quarter	-	by 15 th October
3 rd quarter	-	by 15 th January
4 th quarter	-	by 15 th April

14. Evaluation and Monitoring Outcomes :-

- a. The Director, Panchayats or any other officer duly authorized by him, in this behalf, from the Panchayat Department or from the respective line Departments shall have the right of inspections at all reasonable times and calling for plans and estimates in respect of any scheme for which the **Grant-in-aid** is given.
- b. The Director, Panchayats shall constitute an internal inspection team to ensure proper accountability, Audit and Monitoring of works undertaken by all tiers of PRIs and shall carry out the field inspections within 20 days in respect of the quarterly reports submitted under Rule 13 (b) & (d).
- c. The Director, Panchayats shall constitute an internal inspection team and inspect cash books, agreements, measurement books, vouchers etc of the PRIs regularly.

15. Penalties :-

- a) In case of default by any of the PRIs in performing any duty imposed upon it under these rules, the Administrator may fix a period for the performance of that duty and if it is not performed within that period so fixed, the Administrator shall after giving due notice to the concerned PRI and allowing a reasonable period to rectify the failure, appoint a person to perform that duty and the expenses thereof shall be met from the **Grant-in-aid** of the respective PRI, as fixed.
- b) The Administration reserves the right to order refund of the entire amount or a portion of **Grant-in-aid** sanctioned to the PRIs if any breach of terms of these rules is noticed on the part of that particular PRI and in that case penal interest at the rate of 8% per annum or at the rate fixed by the Ministry of Finance, Govt. of India / Administration from time to time shall be charged. In such cases, the Administrator reserves the right to stop further grants, for such period as decided by him.
- c) If the fund availability certificate issued is found false, it will be treated as lapse on the part of Panchayat Secretary / Executive Officer / Chief Executive Officer as the case may be and necessary disciplinary proceeding as deemed fit shall be initiated as per CCS (Conduct) Rules, 1964 and CCS (CCA) Rules, 1965.
- d) In case of any monetary loss occurring to the Panchayats due to the violation of these Rules, such losses shall be recovered from the respective authority as per the provisions of A & N Islands (Panchayats) Regulation, 1994 as well as under other relevant statutes.
- e) Submission/ issuance of false Utilisation Certificate/Revenue Collection Certificate/ Form 'C', non adherence of procurement process as prescribed in these Rules shall invite disciplinary proceedings against the Officials as per CCS (Conduct) Rules, 1964 and CCS (CCA) Rules, 1965.

16. Removal of difficulties and/or Inconsistencies:-

- (i) Wherever any difficulty and/or inconsistency arises in the case of any provisions of these Rules with respect to any provisions of any other Rules notified under the Regulation, the provisions of these Rules shall prevail over the provisions of other Rules.
- (ii) Wherever any difficulty and/or inconsistency arises in the case of any provisions of these Rules with that of the provisions/sections of the Regulation, the Regulation shall prevail over these Rules.

17. Removal of doubts:-

If any doubt arises as to the interpretation of any of the provisions of these Rules, the matter shall be referred to the Administrator or such authority as may be specified by the Administrator by a general or special order, and the decision of the Administrator or such authority shall be final.

18. Reference of earlier Rules & Amendments:-

The following notifications and orders/instructions on the matters contained in these Rules shall stand rescinded from the date of coming into force of these Rules.

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- (a) The Andaman and Nicobar Islands (GIA to PRIs) Rules, 1996 [Notification No.25/97 dated 19.02.1997]
- (b) The Andaman and Nicobar Islands (GIA to PRIs) (Amendment) Rules, 2000 [Notification No.57/2000 dated 06.03.2000]
- (c) The Andaman and Nicobar Islands (GIA to PRIs) (Amendment) Rules, 2002 [Notification No.79/2002 dated 21.04.2002]
- (d) The Andaman and Nicobar Islands (GIA to PRIs) (3rd Amendment) Rules, 2003 [Notification No.158(A)/2003 dated 21.08.2003]
- (e) The Andaman and Nicobar Islands (GIA to PRIs) (Amendment) Rules, 2005 [Notification No.69/2005 dated 25.04.2005]
- (f) The Andaman and Nicobar Islands (GIA to PRIs) (Amendment) Rules, 2006 [Notification No.6/2007 dated 04.01.2007]

Provided, however, that the rescinding of the above said Rules/Notifications shall not affect the previous operation of the said Rules/Notifications/Orders or anything duly done or suffered thereunder.

19. Savings :-

- a) The Administrator may alter, amend, include or exclude any provision(s) of these Rules and Schedules thereunder as may be warranted to safeguard public money, at any time for reasons to be recorded in writing.
- b) The forms prescribed under these Rules are subject to change or modification from time to time and may be changed or modified by issue of executive orders whenever and wherever considered necessary.

3. In the said Rules, the existing Schedule-I shall be substituted with the following Schedule-I:-

SCHEDULE - I

[See rule 2(e)]

1. Technical Sanction:

S.No.	Estimated Cost of work	Competent Authority
1.	Upto ₹ 3 Lakhs	AE
2.	Upto ₹ 30 Lakhs (Upto ₹ 45 lakhs where AE Planning is attached with EE)	EE
3.	Upto ₹ 2.5 crores	SE
4.	Above ₹ 2.5 crores	CE, APWD

Note:

- i) This delegation of power is subject to observance of the provisions contained in CPWD Works Manual and as amended from time to time.

2. Administrative Approval and Expenditure Sanction for works :**I. Gram Panchayat**

Estimated Cost of work	Competent Authority
1. Works costing upto ₹ 20 Lakhs	Pradhan, Gram Panchayat
2. Works costing more than ₹ 20 Lakhs and upto ₹ 50 Lakhs	Director, Panchayats
3. Works costing more than ₹ 50 Lakhs and upto ₹ 100 Lakhs	Secretary, Panchayats*
4. Works costing above ₹ 100 lakhs	Relevant authority under the Administration as per the delegation of financial powers

II. Panchayat Samiti

Estimated Cost of work	Competent Authority
1. Works costing upto ₹ 50 lakhs	Pramukh, Panchayat Samiti
2. Works costing more than ₹ 50 lakhs and upto ₹ 100 lakhs	Secretary, Panchayats *
3. Works costing above ₹ 100 lakhs	Relevant authority under the Administration as per the delegation of financial powers

III. Zilla Parishad

Estimated Cost of work	Competent Authority
1. Works costing upto ₹ 150 Lakhs	Adhyaksh, Zilla Parishad
2. Works costing above ₹ 150 lakhs	Relevant authority under the Administration as per the delegation of financial powers

* Where the post is held by an officer of the rank of Commissioner-cum-Secretary or Principal Secretary, as the case may be, the relevant financial limit shall apply.

Note:

The above power shall be exercised subject to the following conditions:-

- The projects, being part of the Annual Plan approved by the Gram Sabha shall be executed only after passing a resolution by the respective PRI.
- Availability of the land for the projects. The land shall be free from all encumbrances.
- The value of sanction of projects / works shall not exceed the available fund under each sector. However, in the case of road sector, the value of sanction shall not be more than 1.2 times of the sanctioned fund.
- All the technically sanctioned estimates shall be routed through the Panchayat Secretary/Executive Officer/Chief Executive Officer as the case may be, for Administrative Approval and Expenditure Sanction of the heads of the respective PRI.
- The Administrative Approval and Expenditure Sanction for estimates beyond the financial power of the PRI shall be obtained from the competent authority through Director, Panchayats.
- In the case of emergent works, repair and maintenance of the assets already created by the PRIs and not included in the Annual Plan, shall be taken up on the recommendation of the standing committee/ works committee as the case may be as prescribed in Rule 6(i) of the A & N Islands (Panchayati Raj Institutions) (Constitution of Committees) Rules, 2005 with the technical approval of the EE (GPs & PS) and EE, Zilla Parishad as the case may be. Such works shall be ratified in the ensuing Gram Sabha meeting.
- While according Administrative Approval and Expenditure Sanction, the PRIs shall ensure adherence of instructions / guidelines issued by A & N Administration from time to time alongwith the A & N Islands Panchayat Regulation, 1994.
- The Engineers of PRIs shall exercise powers as prescribed in CPWD Manual, except in the case of awarding work to the societies. In the cases of awarding works to the societies without call of tender, they shall exercise the power as prescribed in item 3 of Schedule-I.
- In respect of items other than works, provisions of General Finance Rules, 2005 as amended from time to time shall apply.
- No Administrative Approval & Expenditure Sanction shall be accorded without the submission of fund availability certificate duly signed by the Panchayat Secretary, Executive Officer and Chief Executive Officer as the case may be. This fund availability certificate shall be issued by them after deducting committed liabilities such as expenditure to be incurred on already sanctioned /awarded works and pending bills.

3. Award of works to Societies without call of tender:

Sl. No.	Extent of power to issue work order	Competent Authority to approve the rates	Competent Authority for award of work
1	2	3	4
1.	Upto ₹ 6 Lakhs	EE, GPs & PS	Pradhan, based on the Resolution passed by the Gram Panchayat
2.	Upto ₹ 8 Lakhs	EE, GPs & PS	Pramukh, based on the Resolution passed by the Panchayat Samiti
3.	Upto ₹ 12 Lakhs	EE, Zilla Parishad	Adhyaksh, based on the Resolution passed by the Zilla Parishad

Note 1. The estimates for works upto the limit as prescribed above shall be executed either through work order or tender. The estimated cost of works beyond this limit, shall be executed only through tenders as prescribed in the CPWD Manual. Splitting of work is not allowed under any circumstances.

4. Terms and Conditions to award works to the Societies without call of tender:

- The unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective and duly registered with the Registrar of Cooperative Societies (RCS) shall enroll themselves separately with Gram Panchayat, Panchayat Samiti and Zilla Parishad for getting work orders from that respective PRI.
- The applications for enrolment received by the PRIs shall be scrutinized by the respective PRI by forming internal committees and the eligible unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective shall be enrolled for awarding civil works. The enrolment shall be for a period of five years, and may be renewed thereafter subject to fulfillment of eligibility conditions.

The composition of the committees shall be as follows:-

The Heads of PRIs as Chairman, Panchayat Secretary/Executive Officer/Chief Executive Officer as the case may be as Member, Chairman of the Standing Committee/Works Committee of the respective PRIs as the case may be as member, respective Junior Engineer (for GP), respective Assistant Engineer (for PS) as member and Executive Engineer (for ZP) as member for ZP.

- The PRIs shall enroll the registered unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective as and when they receive the application from the societies and the roster shall be maintained accordingly.
- Before award of any work, the respective Panchayat Secretary/Executive Officer/Chief Executive Officer as the case may be shall check the accounts of the societies and ensure that audited account for the previous financial year is available. No work shall be awarded to unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective if audit is not carried out for the previous year.
- Before award of any work, the members and head of that respective PRI shall give an undertaking that no member in the unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective to which the work is going to be awarded is related to him/her.

[Explanation: The expression "related" means father/mother, wife/husband, children, brother/ sister and brother-in-law/sister-in-law].

- Before award of any work, the unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective shall furnish an undertaking that they shall not take up any work in case a member of the unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective is "related" with the Pradhan/Pramukh/Adhyaksh and any member of that respective PRI as the case may be, where they are willing to take up the work.
- Works shall be awarded based on analysis of rates as per practice prevailing in APWD.
- No work shall be awarded to these unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective without Technical Sanction/Administrative Approval and Expenditure Sanction by the Competent Authority.

- ix) The work shall be awarded by the PRIs after entering into an agreement with such societies in writing.
- x) Such enrolled unemployed Co-operative Society/Co-operative Society having civil construction work as one of its objective shall have atleast one technically qualified person [Diploma/Degree in Civil Engineering] as its Consultant/Technical Adviser, to get the work awarded/undertake the work/execution of work. The unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective can engage the services of such technically qualified persons even if he is providing his services to more than one society, but not exceeding five societies at any point of time and the same should be ensured by the Superintending Engineer of PRIs.
- xi) The societies which defaults in execution of the work in any manner shall be blacklisted by the Superintending Engineer, PRIs based on the recommendation of the respective PRI and they shall not be awarded any work by any PRIs for three consecutive years. List of such societies shall be circulated by the SE (PRIs) to other heads of PRIs where they are enrolled, under intimation to the Director, Panchayats.
- xii)
 - a) The Gram Panchayat/Panchayat Samiti shall award work to the eligible unemployed Co-operative societies/Co-operative Societies having civil construction works as one of its objective enrolled within the respective Gram Panchayat jurisdiction on roster basis "where the work is proposed to be carriedout". The Zilla Parishad shall award work to the eligible unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective enrolled within the respective Zilla Parishad member constituency jurisdiction on roster basis "where the work is proposed to be carriedout".
 - b) If no eligible unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective exists in the Gram Panchayats' jurisdiction, the Gram Panchayat/Panchayat Samiti shall award work from the roster of the respective Zilla Parishad member constituency jurisdiction.
 - c) If no eligible unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective exists in the Zilla Parishad member constituency jurisdiction, the Gram Panchayat/Panchayat Samiti/Zilla Parishad shall award work from the roster of Societies exist in the respective Panchayat Samiti jurisdiction.
 - d) PRI shall issue offer letter to the societies as per their turn before issuance of work order and the Societies shall submit their acceptance within fifteen days from the date of issuance of the offer letter. If an unemployed Co-operative Societies/Co-operative Societies having civil construction works as one of its objective does not submit the acceptance letter within the stipulated period, the society next in turn shall be awarded works by following the same procedure. If a society does not come forward to take up the work within fifteen days from the date of issuance of work order/time stipulated in the work order, the work order shall be cancelled and the society next in turn shall be awarded works by following the above procedure.
 - e) The SE (PRIs) should ensure that the work awarded to the societies by the PRIs are strictly on roster basis.

4. The Rule '8 (viii)' mentioned in Form 'D' in Schedule - III shall be substituted as Rule 6 (f).

5. In the said Rules, in Schedule - III, the existing Form 'C' shall be substituted as below:-

E ANDAMAN AND NICOBAR EXTRAORDINARY GAZETTE, JANUARY 20, 2012 25

FORM - C

[See Rule 10 (b)]

ANDAMAN AND NICOBAR ADMINISTRATION
PANCHAYATI RAJ INSTITUTIONS

Name of the Gram Panchayat / Panchayat Samiti / Zilla Parishad :

Completion Certificate No. Date:

Certified that the work..... (Name of the work) for which..... (name of Gram Panchayat / Panchayat Samiti / Zilla Parishad) received Grant-in-aid amounting to Rupees..... during the year in the sector

1) The cost of Administrative Approval and Expenditure Sanction for the abovesaid work is Rupees and a sum of Rupees has been spent during the current financial year i.e.

And the work completed up to (indicate %age of the progress on the work) and the overall expenditure as on date is Rupees

2) The above work completed on (date). The cost of the work after completion is Rupees..... and respective revised estimate has been prepared/under preparation.

(While issuing the certificate the amount spent on this work during the previous year(s) has to be taken in to account from the relevant records)

(Name)
Pradhan/Pramukh/Adhyaksh
(Signature with seal)

(Name)
PS/EO/CEO
(Signature with seal)

COMPLETION / STABILITY CERTIFICATE

This is to certify that the above work is carried out and completed as per the CPWD specifications and it is technically stable and the asset created is sound.

(Name)
Junior Engineer

(Name)
Assistant Engineer

(Name)
Executive Engineer

(Signature with seal and date)

Note:-

In case the work is carried out by Line Departments, the Technical/ Executing Authority of the concerned Department shall sign.