

WBNUJS “WORKS” REGULATION 2017

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WBNUJS “WORKS” REGULATIONS 2017

Whereas it may be necessary to consolidate and rationalize the existing regulations and practices on “Works” carried out on behalf of the University so as to ensure efficiency, transparency and fairness, the following regulations are hereby adopted.

CHAPTER – I PRELIMINARIES

Regulation 1. Title and Commencement

- (1) These regulations shall be called WBNUJS “Works” Regulations 2017.
- (2) These regulations shall come into effect on such date as may be notified by the University.

Regulation 2. Definitions

- a) “NUJS” means the West Bengal National University of Juridical Sciences
- b) “Vice Chancellor” means the Vice chancellor of NUJS, as defined in Section 12 of WBNUJS Act.
- c) “Executive Council” means the Executive Council of NUJS, as defined in Section 10 of WBNUJS Act.
- d) “Finance Committee” means the Finance committee of NUJS, as defined in Section 8 of WBNUJS Act.
- e) “Registrar” means the Registrar of the NUJS, as defined in Section 12 of WBNUJS Act.
- f) “University” means the NUJS.
- g) “User” includes students, faculty, staff and any such persons who uses or provides any particular facilities in the University.
- h) ‘Original Works’ includes all new constructions, additions and alterations to existing works, special repairs to newly purchased or previously abandoned buildings or structures, including remodeling or replacement.
- i) ‘Repair works’ includes works undertaken to maintain building and fixtures.

CHAPTER – II AUTHORITIES

Regulation 3. Constitution of Works Committee

- (1) There shall be a Works Committee of the University for the purpose of recommending and overseeing administrative aspects of works for the University.
- (2) The Vice - Chancellor shall constitute the Works Committee.
- (3) The Committee shall comprise of:
 - a) a Chairperson from amongst the Officers of the University;

- b) Two members from the Faculty; and
- c) Two members from the Administration, one of whom shall act as Member Secretary;
- (4) Three members shall form the quorum for the Committee.
- (5) The term of the procurement committee shall ordinarily be for one year unless the Vice-Chancellor decides otherwise.

Regulation 4. Functions of the Works Committee

The functions of the Works Committee shall include :

- a) Drafting of work order / DPR / EOI/ Tender Document/NIQ/ etc.
- b) Finalization of Tender Documents
- c) Advising the Vice Chancellor on relevant matters
- d) Identification of relevant specifications
- e) Evaluation of submitted documents
- f) Selection of Vendors / firms /bidders / consultants / service providers, etc.
- g) Conduct of formal or informal inquiry on identification of Contractors/ Architects/ Engineers/ etc.
- h) Drafting of any other document as deemed fit by the Works Committee
- i) Any other related matter as the Committee may deem fit or as may be directed by the Vice-Chancellor.

Regulation 5. Administrative control of ‘Works’

Administrative Control of the ‘Works’ shall be with:

- (a) the Head of the concerned Department or
- (b) any other person authorized by the Vice-Chancellor,

Provided however that the day-to-day supervision shall vest with the Campus Supervisor of the University.

Regulation 6. Authority to sanction ‘Works’

- (1) Notwithstanding anything contained in any other regulation relating to financial matters, the Vice Chancellor shall, on recommendation of the Works Committee, have the authority to sanction any works under this regulation up to a value of Rupees Five Lakhs.

Provided all such sanction exceeding Rupees One Lakh shall be placed in the next meeting of the Finance Committee for its ratification.

- (2) The Finance Committee shall have the authority to sanction all works above Rupees Five Lakhs.

CHAPTER – III WORKS

Regulation 7. Procedure for Execution of Works

The broad procedure to be followed by the University for execution of ‘Works’ shall be as under:-

- (a) preparation of detailed design and estimates shall precede any sanction for works.
- (b) No work shall be undertaken without the Administrative and Financial Approval by the Vice-Chancellor or Finance Committee, as the case may be;
- (c) For works of value of up to Rupees five lakhs, the Works Committee shall select a contractor through limited tender process. For all such ‘Works’, limited tender quotations shall be obtained from at least three contractors. Notice inviting quotation shall be uploaded in the University website and minimum of seven days shall be given for submission of quotation;
 - i. Provided that for works of value up to Rupees one lakh, the Works Committee may
 - A. select a contractor in consultation with the Campus Supervisor, or
 - B. Authorise the Campus Supervisor to execute the work through hired labour and/or to procure required materials from open market, with such condition as the Works Committee may deemed fit.
- (d) For works of value exceeding Rupees five lakhs, the Works Committee shall select a contractor through open tender advertisement. Notice inviting tender shall be published on the centralized e-tender portal of the central/state government. Intimation of such notice shall also be given in the Indian Trade Journal (ITJ), published by the Director General of Commercial Intelligence and Statistics, Kolkata and at least in one daily newspaper having wide circulation and also on the University website;
- (e) Execution of Contract Agreement or Award of work should be done before commencement of the work;
- (f) Final payment for work shall be made only on the personal certificate of the Campus Supervisor and/or Engineer and/or Head of Department and/or any other authorized person, an of execution of the work in the format given below:

“ I/We, Campus Supervisor/Engineer/Head of Department/any other authorized person am/are personally satisfied that the work (Description of Work) has been executed as per the specifications laid down in the Contract Agreement/Work order and the workmanship is up to the requisite standards.”

Regulation 8. Works through Public Works Organisation

Notwithstanding anything contained in the Regulation 7, the Works Committee may, at its discretion, assign any original/repair works of any value to any Public Works Organisation which includes State Public Works Divisions, other Central Government organisations authorised to carry out civil or electrical works such as Central Public

Works Department (CPWD), Military Engineering Service (MES), Border Roads Organisation etc. or Public Sector Undertakings set up by the Central or State Government to carryout civil or electrical works, etc.

Regulation 9. Prerequisites

- (1) No works shall be commenced or liability incurred in connection with it until, -
 - (a) administrative approval has been obtained from the appropriate authority as specified in Regulation 6.
 - (b) sanction to incur expenditure has been obtained as mentioned in Regulation 6;
 - (c) a properly detailed design has been sanctioned;
 - (d) funds to cover the charge during the year have been provided by competent authority;
 - (e) tenders invited and processed in accordance with Regulation 7;
 - (f) a Work Order issued.
- (2) On grounds of urgency or otherwise, if it becomes necessary to carry out a work or incur a liability under circumstances when the provisions set out under paragraph 1 of regulation 9 cannot be complied with, the Vice-Chancellor may authorise such work on his own judgment.
- (3) Any development of a project considered necessary while a work is in progress, which is not contingent on the execution of work as first sanctioned, shall have to be covered by a supplementary approval.

CHAPTER IV MISCELLANEOUS

Regulation 10. Group of works

For purpose of approval and sanctions, a group of works which forms one project, may be considered as one work.

Regulation 11. Cost Escalation

The Vice-Chancellor shall have the powers to accept and approve, on the recommendation of the Works Committee, any escalation to the cost of the awarded works.

Provided that where after escalation the revised value of the works exceeds Rupees Five Lakhs the sanction of the Finance Committee shall be necessary.

Regulation 12. Savings

- (1) Where any “Works” is being contemplated or executed in furtherance of any project or grant, execution of such work shall be governed by the terms and conditions of such project or grant as the case may be. However, in absence of any such terms or conditions the present regulation shall apply.

- (2) The validity of any “Works” for which the tender process has already been started shall not be questioned only on the ground of divergence from the present regulation.
- (3) Any matters pertaining to “Works” not covered under the aforesaid rules shall be governed by the decision of the Works Committee subject to the approval of the Vice-Chancellor.