



HIMACHAL PRADESH

through e mail also

0177-2621401

PUBLIC WORKS DEPARTMENT

e-mail :-pwd-hp@nic.in

No PW /CTR//32-20/Genl Inst.CPWD/2020- 33496-595

Dated:- 17/1/23

To

All the Zonal Chief Engineers,
The Chief Engineer (NH),
The Chief Engineer (HPRIDC)
In HPPWD.

Subject:- CWP No. 6371/2021 titled as Naresh Kumar Tuli State of H.P. & others a/w CWP No. 6372/2021 (Amendment in General Condition of Contract (GCC- HPPWD thereof.).

Reference:- This office letter of even file No. 29911-30010 dated 19-3-2022.

In this regard, your attention is invited towards this office letter under reference on the subject cited above vide which a copy of letter No. PBW (B)A (3)1/2020-21 dated 8-03-2022 was sent to your office for information and taking immediate necessary action in which the instruction regarding amendment in clause 25 of the General Rules & Direction were issued. But the Engineer -in- Chief (P) vide his office letter No. 2634-43 dated 5-1-2023 has intimated that some of the Divisions are not adhering the instructions and tenders are being called without incorporating the amendments in clause 25 of the General Rules & Direction of the GCC and violating the instructions as issued by this office on dated 19-3-2022. Further Engineer -in Chief (P) vide above referred letter has also intimated that the Bidding Documents which are being used by various Divisions are not as per corrected bidding documents and only old bidding documents are being used whereas the corrected bidding documents has is already uploaded in the Departmental Website.

You are, therefore, requested to look in to the matter personally and direct all the field units working under your control to adhere the instructions and while approving the DNIT, it may be ensured that the corrected Bidding Documents by incorporating the clause 25 of the General Rules & Direction of GCC & date on which the bidding documents downloaded.

Any laxity in this regard will be viewed seriously and the action so deemed fit will be initiated against the defaulters.

Encl. As above

Engineer -in-Chief
HPPWD, Shimla-2.

Copy of above is forwarded to the following:-

1. The Principal Secretary (PW) to the Govt., of H.P. w. r. t his office letter under reference for information.
2. The Engineer- in -Chief (Project) w. r. t his office letter NO. 2634-43 dated 5-1-2023 for information.
3. The Chief Engineer (PMGSY) HPPWD Shimla-2 for information and necessary action.
4. All the Superintending Engineers in HPPWD for information and necessary action.
5. The Joint Director (Law) in this office for information.
5. All the Executive Engineer in HPPWD for information and necessary action.
6. The Executive Engineer (IT) in this office . He is requested to insert the same on the departmental website .

Engineer -in-Chief
HPPWD, Shimla-2.

Fe.
Sharma
EE(IT) 11/01/2023

upload on
official
website
JE(IT)



HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

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e-mail :-pwd-hp@nic.in

No PW /CTR//32-20/Genl Inst.CPWD/2020- 29911 - 300/0 Dated:- /9-3-22.

To

All the Zonal Chief Engineers,
The Chief Engineer (NH),
The Chief Engineer (HPRIDC)
In HPPWD.

Subject:- CWP No. 6371/2021 titled as Naresh Kumar Tuli State of H.P.
& others a/w CWP No. 6372/2021 (Amendment in General
Condition of Contract (GCC- HPPWD thereof.).

In this regard a copy of letter No. PBW (B)A (3)1/2020-214
dated 8-03-2022 received from the office of Principal Secretary (PW) to the
Govt., of H.P . is sent herewith for information and taking further necessary
action.

You are therefore, requested to comply with the revised
clause No. 25 of General Rules and Directions contained in General
Condition of Contract (GCC) in order to adopt accountable and transparent
mechanism in grant of Govt., Contracts .

Encl. As above

Engineer -in-Chief
HPPWD, Shimla-2.

Copy of above is forwarded to the following:-

1. The Principal Secretary (PW) to the Govt., of H.P. w.r.t his office letter under reference for information.
2. The Engineer- in -Chief (Project) for information.
3. The Chief Engineer (PMGSY) HPPWD Shimla-2 for information and necessary action.
4. All the Superintending Engineers in HPPWD for information and necessary action.
5. The Joint Director (Law) in this office for information.
5. All the Executive Engineer in HPPWD for information and necessary action.
6. The Executive Engineer (IT) in this office . He is requested to upload the same on departmental website and also to insert the amendment in the GCC.

Engineer -in-Chief
HPPWD, Shimla-2.

No. PBW(B)A(3)1/2020-I
Government of Himachal Pradesh
Public Works Department

From

Principal Secretary (PW) to the
Government of Himachal Pradesh

To

The Engineer-in-Chief,
HPPWD, Nigam Vihar, Shimla-2

Dated: Shimla-2 the

08 .03.2022

Subject:-

CWP No. 6371/2021-titled as Naresh Kumar Tuli Vs. State of HP & Ors
a/w CWP No. 6372/2021 [Amendment in General Conditions of
Contract (GCC), HP PWD thereof]

Sir,

I am directed to refer to your letter No. PW-LC-CWP No.
6371&6372/2021-5157 dated 24.02.2022 on the subject cited above and to say that the
Government has revised Clause No. 25 of General Rules and Directions contained in General
Conditions of Contract (GCC), HPPWD in order to adopt accountable and transparent mechanism
in grant of Government contracts in compliance to Hon'ble High Court orders dated 09.11.2021
as under:

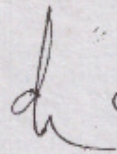
25. Submission
of Original
Documents

- (i) The bidder(s) shall submit scanned copies of the original documents as stated in clause 23 to 24.9 herein above including the scanned copies of receipts for cost of the tender document and earnest money along with the bids on or before the due date of submission on the website <http://hptenders.gov.in>. Evaluation of the bids will be carried out only with the downloaded scanned copies of original documents as submitted by the bidder(s) as per the requirement of the tender document. However, the successful bidder shall have to submit the original documents physically with the concerned authority under proper receipt before issue of Letter of Award of the work. It may be noted that in case any uploaded scanned copy of any document is found to be false/forged at any stage, the bidder shall be debarred for tendering in HPPWD in future as per his affidavit /undertaking submitted along with his bid.
- (ii) However, while evaluating the bid technically, if the authority requires any clarification from the bidder on the submitted scanned copies of the original documents, the bidder will be asked in writing (only through e-mail of tendering authority as specified in tender documents to bidder's e-mail as specified in his bid) to clarify his technical bid with respect to any rectifiable defect(s).

	(iii) On clarification sought by the authority, the bidder will respond only through e-mail in not more than 7 days of the issue of clarification letter from the concerned authority through e-mail. Immediately on receipt of such clarification(s), the evaluation committee will finalize the list of technically responsive bidders.
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You are, therefore, requested to upload the same on official website of the Department and also issue necessary directions to subordinate offices for necessary action accordingly.

Yours faithfully,



(Pushp Lata Singha)
Joint Secretary (PW) to the
Government of Himachal Pradesh

**HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT**

NO.PW-E-IN-C(P) Misc./2023-2634-43
TO

DATED:- 05-01-2023

All the Zonal Chief Engineers,
HP.PWD.
The Chief Engineer (PMGSY)
HP.PWD Shimla-2.
The Chief Engineer (NH)
HP.PWD Shimla-2.
The Chief Engineer (HPRIDC)
HP.PWD Shimla-2.

Subject:- CWP No.6371/2021 titled as Naresh Kumar Tuli State of HP & others
a/w CWP No. 6372/2021 (Amendment in General Condition of Contract
(GCC-HPPWD thereof)

Reference:- E-in-C office letter NO. PW/CTR/32-20/Genl.Inst. CPWD/2020-29911-
30010 dated 19/03/2022.

Please refer above quoted letter vide which revised clause No. 25 of
General Rules and Directions contained in General Condition of Contract (GCC) as approved
by the Govt. vide letter No. PBW(B)A(3)1/2020-I dated 08/03/2022 was circulated for
immediate adoption as per the direction of Hon'ble High Court in order to adopt accountable
and transparent mechanism in grant of Govt. Contracts.

However, it has come to the notice that some of the online tenders of
HPPWD are being called without incorporating the amendments in clause 25 (GCC), inspite of
the fact that amended SBD is available on HPPWD Website. In the judgment of subject cited
CWP Hon'ble High Court has raised doubt on the procedure being followed and directed the
department to adopt a fully transparent and foolproof mechanism in grant of the government
contracts, the amendments in clause 25(GCC) has been issued accordingly. Any non
compliance in this respect tantamount to contempt of Hon'ble High Court orders, hence invites
disciplinary action against the erring officers/officials.

You are therefore requested to issue directions to all Superintending
Engineers and Executive Engineers under your Zone to incorporate the amendments in clause
25 of GCC where State Standard Bidding Document is being used and ensure strict compliance.

Engineer-in-Chief(Projects)
HPPWD Nirman Bhawan Shimla-2

Copy forwarded for information to:-

1. The Engineer-in-Chief HP.PWD HPPWD Nirman Bhawan Nigam Vihar Shimla-2
2. The Superintending Engineer (D-III) HPPWD Nirman Bhawan Nigam Vihar Shimla-2
with the request that instructions may be re-circulate to all field officers.
3. The Joint Director (LAW) Nirman Bhawan Nigam Vihar Shimla-2 for information.

Engineer-in-Chief(Projects)
HPPWD Nirman Bhawan Shimla-2