GOVERNMENT OF TELANGANA
IRRIGATION & CAD DEPARTMENT

From
C. Muralidhar, B.Tech.
Engineer-in-Chief (Irrigation),
Irrigation & CAD Department

To
All the ENCs and CEs of I&CAD Dept.

Cir. letter No ENC/IW/P&M/EE.1/DEE.2/AEE.5/SBD/2017  Dt: 24.06.2020

Sir,

Sub:- Irrigation & CAD Dept.,- Common Standard Bid document (CSBD) for all Engineering Departments - Labour Enactments - Incorporation of all relevant amended Labour Acts/Laws and other guidelines in all the Tender documents/Agreements of I&CAD Dept.,- Directions communicated for compliance - Not being implemented uniformly - Represented by the Secretary, INTUC AP& Telangana - Instructions - Communicated - Regarding.

Ref: 1. Govt Memo No 6095/Reforms/2015, dated 17.05.2016.
2. Standard Bid Document accorded for I&CAD Dept works(Non-EPC)
3. Secretary, Indian National Trade Union Congress)INTUC(, AP & Telangana Lr. No. INTUC/ENC/Irrigation/HYD/204/2019/Incrpnn.in AGB dated 16.08.2019
5. Secretary, INTUC, AP & Telangana Lr No. INTUC/ENC/Irrigation/HYD/204/2019/Incrpnn.in AGB dated 16.10.2019
6. Secretary, INTUC, AP & Telangana Lr No. INTUC/204/ENC/ Irrigation / HYD/2019/corrected copy dated 26.09.2019
7. Minutes of Board of Chief Engineers meeting held on 19.11.2019
8. ENC(I) letter No ENC/IW/P&M/EE.1/DEE.2/AEE.5/ SBD/2017, dated 06.12.2019 addressed to Govt and copy communicated to all ENCs/CEs of I&CAD Dept.,
9. Secretary, Indian National Trade Union Congress)INTUC(, AP & Telangana Lr. No. INTUC/204/ENC/Irrigation/HYD/2020/Incrpnn.in AGB Dt: 21.04.2020
11. Secretary, INTUC, AP & Telangana Lr No. INTUC/204/ENC/ Irrigation / HYD/2020/Incorp.in SBD & ABD, dated 08.06.2020

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Please refer T.O letters 4th, 8th & 10th cited in the subject matter.

The Secretary, INTUC, AP & Telangana vide letter 11th cited has represented that, in spite of specific directions from the undersigned vide references 4th, 8th & 10th cited in the matter, in certain recently invited Tenders works of I&CAD Dept., the relevant amended Labour laws/acts are not incorporated in the respective Tender Documents.

In this regard, in compliance to statutory requirements of amended Labour laws, all the ENCs and CEs of Irrigation & CAD Dept. are once again directed to ensure for invariable inclusion of all the relevant Labour enactment laws/acts in the Tender

P.T.O
Documents/Agreements of I&CAD Department works under Clause No 13 (Special Conditions of Contract) of accorded SBD vide references 1st & 2nd cited i.e., “Salient features of some major labour laws applicable to establishment engaged in buildings and other construction works” without fail.

The amended Labour laws/acts/guidelines to be incorporated in Standard Bid Document under Clause No 13 as per recommendations of Board of Chief Engineers meeting dated 19.11.2019 are compiled under Annexure-l and here with communicated for information and necessary action in the matter.

It may be noted that, non-compliance of above directions will be viewed seriously and the concerned Tender inviting and Tender sanctioning authorities are primarily responsible for its strict implementation.

Encl:
1. Copy of ref. 4th, 8th, 10th & 11th cited
2. Copy of Annexure- l

Yours faithfully,
C. Muralidhar
Engineer-in-Chief (Irrigation)
Irrigation &CAD Department

1. Copy submitted to the Principal Secretary to Government., I&CAD Dept BRKR Bhavan, 6th Floor for favour of information.
2. Copy to all the SEs, EEs of I&CAD Dept., for information and it is directed to download this letter from I&CAD website for taking necessary action in the matter accordingly.
3. Copy to the Secretary, INTUC (AP & Telangana), H No 3-5-67, Flat No 201&202, Thirumala Towers, Indira Nagar, Ramanthapur, Hyderabad-500013 for information.
4. Copy to Dy.EE Computers with a request to place in I&CAD Web Site.

C. Muralidhar
Engineer-in-Chief (Irrigation)
Irrigation &CAD Department

for Engineer-in-Chief (Irrigation)
Irrigation &CAD Department
Annexure-I

List of Amended Labour laws/acts/guidelines to be incorporated under Clause No 13 (Special Conditions of Contract) of Standard Bid Document of I&CAD Department.

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(a) Employees compensation Act, 1923: The Act provides for compensation in case of injury by accident arising out of and during the course of employment.

(b) Payment of Gratuity Act, 1972: Gratuity is payable to an employee under the Act on satisfaction of certain conditions on separation if any employee has completed 5 years of service or more, or on death, the rate of 15 days’ wages for every completed year of service. The Act is applicable to all establishments, employing 10 or more employees.

(c) Employees P.F. and Miscellaneous Provision Act, 1952: The Act provides for monthly contributions by the Department plus workers @ 12% or 10%. The benefits payable under the Act are:
   (i) Pension or family pension on retirement or death, as the case may be.
   (ii) Deposit linked insurance on the death in harness of the worker.
   (iii) Payment of P.F. accumulation on retirement/death etc.,

Every contractor shall within 7 days of the close of every month, submit to the principal employer a statement showing the recoveries of contribution in respect of employees employed by or through him.

(d) Maternity Benefit Act, 1951: The Act provides for leave and some other benefits to women employees in case of confinement or miscarriage etc.

(e) Contract Labour (Regulation & Abolition) Act, 1970: The Act provides for certain welfare measures to be provided by the contractor to contract labour and in case the Contractor fails to provide, the same are required to be provided by the Principal Employer by Law. The Principal Employer is required to take certificate of Registration and the contractor is required to take license from the designated Officer.

1) The Act is applicable to the establishments or Contractor of Principal Employer, if they employ 5 or more contract labour, on any day of the preceding 12 months.

2) The payment of wages shall be made by way of cheque or by crediting the salaries to the Bank Account of the concerned workers. Where banking facilities are not available, the wages may be paid in cash.

3) (i) The Principal Employer shall ensure the presence of his authorized representative at the place and time of disbursement of wages by the
contractor to workmen and it shall be the duty of the contractor to ensure the
disbursement of wages in the presence of such authorized representative. (ii)
The authorized representative of the Principal Employer shall record under his
signature a Certificate at the end of the entries in the Register of Wages or the
Register of Wages-cum-Muster Roll, as the case may be.

(f) Minimum wages Act, 1948: The Contracting Agency is supposed to pay not less
than the Minimum wages fixed by appropriate Government as per provisions of
the Act if the employment is covered under scheduled employment of (i)
Construction of Projects including Dams and Multipurpose Projects and (ii)
Construction or Maintenance of Roads and Building Operations. The wages shall
be paid subject to the following conditions.

1) The Contracting Agency after thorough verification shall pay the wages to the
workers according to the minimum wages fixed by the Government or Labour
Rates announced by the BoCE in SoR, whichever is higher.

2) The Contracting Agency shall also pay the allowances if any notified by the
Government from time to time to the respective scheduled employment and the
allowances incorporated by the BoCE in SoR in addition to the above
wages.

3) The wages paid in kind i.e., in the form of essential commodities etc., cannot
be taken as wages unless specifically notified by the appropriate Government.

(g) Payment of wages Act, 1936: It lays down as to by what date the wages are to
be paid, when it will be paid and what deductions can be made from the wages
of the workers.

(h) Equal Remuneration Act, 1979: The Act provides for payment of equal wages for
work of equal nature to Male or Female workers and for not making
discrimination against Female employee in the matters of transfers, training and
promotions etc.

(i) Payment of Bonus Act, 1965: The Act is applicable to all establishments
employing 20 or more employees. The Act provides for payment of annual bonus
subject to a minimum of 8.33% of wages and maximum of 20% of wages to
employees drawing Rs.21000/- per month or less. The bonus to be paid to
employees getting less than Rs.7000/- per month shall be worked out by taking
wages as Rs.7000/- per month only or the minimum wage for the scheduled
employment, as fixed by the appropriate Government whichever is higher.
(j) **Industrial Disputes Act, 1947:** The Act lays down the machinery and procedure for resolution of Industrial disputes, in what situations a strike or lock-out becomes illegal and what are the requirements for laying off or retrenching the employees or closing down the establishment. In cases of disputes / conciliation proceedings / joint meetings, no party to a dispute shall be entitled to be represented by legal practitioner in any conciliation proceedings under this Act or in any proceedings before a Court.

(k) **Industrial Employment (Standing Orders) Act, 1946:** It is applicable to all establishments employing 100 or more workmen (employment size reduced by some of the State and Central Government to 50). The Act provides for laying down rules governing the conditions of employment by the Department on matters provided in the Act and get the same certified by the designated Authority.

(l) **Trade Unions Act, 1926:** The Act lays down the procedure for registration of trade unions of workmen and Departments. The Trade Unions registered under the act have been given certain immunities from civil and criminal liabilities.

(m) **Child Labour (Prohibition & Regulation) Act, 1986:** The Act prohibits employment of children below 14 years of age in certain occupations and processes and provides for regulation of employment of children in all other occupations and processes. Employment of Child Labour is prohibited in Building and Construction Industry.

(n) **Inter-State Migrant workmen's (Regulation of Employment & Conditions of service) Act, 1979:** The Act is applicable to an establishment, which employs 5 or more inter-state migrant workmen or through an intermediary (who has recruited workmen in one state for employment in the establishment situated in another State). The inter State migrant workmen, in an establishment to which this Act becomes applicable, are required to be provided certain facilities such as housing, medical aid, travelling expenses from home up to the establishment and back, etc.

(o) **The Building and Other Construction workers (Regulation of Employment and conditions of service) Act, 1996 and the Cess Act of 1996:** All the establishments who carry on any building or other construction work and employs 10 or more workers are covered under this Act. All such establishments are required to pay cess at the rate not exceeding 2% of the cost of construction as may be modified by the Government. The Department of the establishment is
required to provide safety measures at the Building or construction work and other welfare measures, such as Canteens, First-aid facilities, Ambulance, Housing accommodations for workers near the work place etc. The Principal Employer and the Contractor to whom the Act applies has to obtain a registration certificate from the Registering Officer appointed by the Government.

The Contractor shall register the workers engaged by him as beneficiaries under the Telangana Building & Other Construction Workers Welfare Board, so as to enable the workers to be eligible for monetary and welfare benefits provided under the Telangana Building & Other Construction Workers Welfare Board.

(p) Factories Act, 1948: The Act lays down the procedure for approval of plans before setting up a factory, health and safety provisions, welfare provisions, working hours, annual earned leave and rendering information regarding accidents or dangerous occurrences to designated authorities. It is applicable to premises employing 10 person or more with aid of power or 20 or more persons without the aid of power engaged in manufacturing process.

(q) The Bonded Labour System (Abolition) Act, 1976: If the Contractor pay the wages to the workers less than the minimum wages, it comes under other form of forced labour and comes under the purview of the Act.

(r) The Motor Transport Workers-Act, 1961: The Contractor who employ five or more motor transport workers in their establishment shall obtain a license from the appropriate authority for the vehicles either owned by them or engaged on hire.

(s) Fair Wage Clause: The Executive Engineer/Engineer-in-Charge shall have the right to call for such record as required to satisfy himself on the payment of fair wages to the labourers and shall have the right to deduct from the contract amount a suitable amount for making good the loss suffered by the worker or workers by the reason of the "fair wages" clause to the workers.

(t) Employment-cum-Wage Cards: The Executive Engineer/Engineer-in-Charge should also take necessary steps for scrupulous implementation of following by the Contractor.

(i) Issuing of Employment-cum-Wage Cards to all the construction contract workers by the Contractor prior to the disbursement of their wages.
(ii) Obtaining of required Licences and Registration certificates by the Contractor.
(iii) Making of entries in the relevant Registers and Records and enrolment of construction contract workers as members with the Telangana State Building & Other Construction Workers Welfare Board by the Contracting Agency.

(u) Maintenance of Records and Registers: The Contracting Agency shall submit copies of all the prescribed registers and records on monthly basis to the Executive Engineer/Engineer-in-Charge for preservation of the said registers and records for a period not less than 3 years after completion of work or till completion of maintenance period, whichever is higher.

"Note: All the above Labour laws/Acts/GOs/guidelines and as amended by the Government from time to time shall be applicable in execution of Works Contract and binding on the Contractor for its implementation without fail."

C. Muralidhar
Engineer-in-Chief (Irrigation)
Irrigation & CAD Department

for Engineer-in-Chief (Irrigation)
Irrigation & CAD Department
GOVERNMENT OF TELANGANA
IRRIGATION & CAD DEPARTMENT

From
C. Muralidhar, B.Tech.
Engineer-in-Chief (Irrigation),
Irrigation & CAD Department

To
All the ENCs and CEs of I&CAD Dept

Cir. letter No ENC/IW/P&M/EE.1/DEE.2/AEE.5/SBD/2017  Dt: 21.09.2019

Sir,
Sub:- Agreement Bonds - Certain changes / additions proposed to the General
Conditions / Special Conditions of the Agreement – Representation by the
Secretary, INTUC on inclusion of certain Labour enactment laws -
Incorporation of all the relevant Labour enactments laws in Tender
Documents/Agreement Bonds of works in Irrigation & CAD Department -
Requested – Instructions – Communicated - Regarding.

Ref: 1. Govt Memo No 6095/Reforms/2015, dated 17.05.2016.
2. Standard Bid Document accorded for I&CAD Dept works(Non-EPC)
3. Secretary, Indian National Trade Union Congress)INTUC,( AP &
   Telangana Lr. No. INTUC/ENC/Irrigation/HYD/204/2019/Incrpn.in AGB
dated 16.08.2019.

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The Government vide Memo 1st cited have accorded Standard Bid Document
for Non-EPC works of I&CAD Dept pending finalization of Common Standard Bid
Document for all Engineering Departments by the Board of Chief Engineers
(BOCEs). The Standard Bid Document for all Departments recommended by the
BOCEs is under examination at Govt level.

The Secretary, Indian National Trade Union Congress)INTUC,( AP &
Telangana vide letter 3rd cited has represented that certain relevant Labour
enactment laws are not being included/considered in some of the recently concluded
Agreements of works of I&CAD Dept., and requested for inclusion of the same.
In this regard, all the ENCs and CEs of Irrigation & CAD Dept are hereby directed to ensure for invariable inclusion of all the following relevant Labour enactment laws in the Tender Documents / Agreements Bonds of works of Irrigation Department under Clause No 13 of accorded SBD 2nd cited i.e., “Salient features of some major labour laws applicable to establishment engaged in buildings and other construction works” for its strict implementation, without fail.

(a) **Workmen compensation Act 1923:** The Act provides for compensation in case if injury by accident arising out of and during the course of employment.

(b) **Payment of Gratuity Act 1972:** Gratuity is payable to an employee under the Act on satisfaction of certain conditions on separation if any employee has completed 5 years of service or more, or on death, the rate of 15 days wages for every completed year of service. The Act is applicable to all establishments, employing 10 or more employees.

(c) **Employees P.F. and Miscellaneous provision Act 1952:** The Act provides for monthly contributions by the Department plus workers @ 10% or 8.33%. The benefits payable under the Act are:

(i) Pension or family pension on retirement or death, as the case may be.
(ii) Deposit linked insurance on the death in harness of the worker.
(iii) Payment of P.F. accumulation on retirement/death etc.,

(d) **Maternity Benefit Act 1951:** The Act provides for leave and some other benefits to women employees in case of confinements or miscarriage etc.

(e) **Contract Labour (Regulation & Abolition) Act 1970:** The Act provides for certain welfare measures to be provided by the contractor to contract labour and in case the Contractor fails to provide, the same are required to be provided by the Principal Department by Law. The Principal Department is required to take certificate of Registration and the contractor is required to take license from the designated Officer. The Act is applicable to the establishments or Contractor of Principal Department if they employ 20 or more contract labour.
(f) **Minimum wages Act 1948:** The Department is supposed to pay not less than the Minimum wages fixed by appropriate Government as per provisions of the Act if the employment is a scheduled employment construction of Buildings, Roads, Runways are scheduled employments.

(g) **Payment of wages Act 1936:** It lays down as to by what date the wages are to be paid, when it will be paid and what deductions can be made from the wages of the workers.

(h) **Equal Remuneration Act 1979:** The Act provides for payment of equal wages for work of equal nature to Male or Female workers and for not making discrimination against Female employee in the matters of transfers, training and promotions etc.

(i) **Payment of Bonus Act 1965:** The Act is applicable to all establishments employing 20 or more employees. The Act provides for payment of annual bonus subject to a minimum of 8.33% of wages and maximum of 20% of wages to employees drawing Rs. 3500/- per month or less. The bonus to be paid to employees getting Rs.2500/- per months or above and up to Rs.3500/- per month shall be worked out by taking wages as Rs.2500/- per monthly only. The Act does not apply to certain establishments. The newly set-up establishments are exempted for five years in certain circumstances. Some of the State Governments have reduced the employment size from 20 to 10 for the purpose of applicability of this Act.

(j) **Industrial Disputes Act 1947:** The Act lays down the machinery and procedure for resolution of Industrial disputes, in what situations a strike or lock-out becomes illegal and what are the requirements for laying off or retrenching the employees or closing down the establishment.

(k) **Industrial Employment (Standing Orders) Act 1946:** It is applicable to all establishments employing 100 or more workmen (employment size reduced by some of the State and Central Government to 50). The Act provides for laying down rules governing the conditions of employment by the Department on
matters provided in the Act and get the same certified by the designated Authority.

(l) **Trade Unions Act 1926**: The Act lays down the procedure for registration of trade unions of workmen and Departments. The Trade Unions registered under the act have been given certain immunities from civil and criminal liabilities.

(m) **Child Labour (Prohibition & Regulation) Act 1986**: The Act prohibits employment of children below 14 years of age in certain occupations and processes and provides for regulation of employment of children in all other occupations and processes, Employment Child Labour is prohibited in Building and Construction Industry.

(n) **Inter-State Migrant workmen's (Regulation of Employment & Conditions of service) Act 1979**: The Act applicable to an establishment, which employs 5 or more inter-state migrant workmen through an intermediary (who has recruited workmen in one state for employment in the establishment situated in another State). The inter State migrant workmen, in an establishment to which this Act becomes applicable, are required to be provided certain facilities such as housing, medical aid, travelling expenses from home up to the establishment and back, etc.

(o) **The Building and Other Construction workers (Regulation of Employment and conditions of service) Act 1996 and the Cess Act of 1996**: All the establishments who carry on any building or other construction work and employs 10 or more workers are covered under this Act. All such establishments are required to pay cess at the rate not exceeding 2% of the cost of construction as may be modified by the Government. The Department of the establishment is required to provide safety measures at the Building or construction work and other welfare measures, such as Canteens, First-aid facilities, Ambulance, Housing accommodations for workers near the work place etc. The Department to whom the Act applies has to obtain a registration certificate from the Registering Officer appointed by the Government.
**Factories Act 1948:** The Act lays down the procedure for approval of plans before setting up a factory, health and safety provisions, welfare provisions, working hours, annual earned leave and rendering information regarding accidents or dangerous occurrences to designated authorities. It is applicable to premises employing 10 person or more with aid of power or 20 or more persons without the aid of power engaged in manufacturing process.

A copy of representation of Secretary, INTUC 3rd cited is enclosed for information and necessary action in the matter, accordingly.

**Encl:** Copy of ref 3rd cited.

Yours faithfully,

Sd/- C. Muralidhar; Dt 21.09.2019
Engineer-in-Chief (Irrigation)
Irrigation &CAD Department

1. Copy submitted to the Special Chief Secretary to Government., (FAC), I&CAD Dept TS Secretariat for favour of information and with a request to include the said Labour enactment laws in the recommended Common Standard Bid Document for all Engineering Departments by the BOCEs.

2. Copy communicated to the Chairman, BOCEs for information.

3. Copy to the Secretary, INTUC (AP & Telangana), H No 3-5-67, Flat No 201&202, Thirumala Towers, Indira Nagar, Ramanthapur, Hyderabad-500013 for information.

Sd/- C. Muralidhar; Dt 21.09.2019
Engineer-in-Chief (Irrigation)
Irrigation &CAD Department

for Engineer-in-Chief (Irrigation)
GOVERNMENT OF TELANGANA
IRRIGATION & CAD DEPARTMENT

From:
C. Muralidhar, B. Tech
Engineer-in-Chief (Irrigation),
Irrigation & CAD Department
2nd Floor, Jalasoudha,
Errum Manzil, Hyderabad - 82

To:
The Special Chief Secretary to the Government (FAC)
Irrigation & CAD Department,
6th Floor, BRKR Bhavan
Telangana Secretariat,
Hyderabad.

Lr. No. ENC/IW/P&M/EE.I/DEE2/AEE5/SBD/2017   Dt: 06.12.2019

Sir,

Sub: - Irrigation & CAD Dept., - Common Standard Bid document (CSBD) for all Engineering Departments - Labour Enactments – Incorporation of certain amendments of Labour laws/Acts in all the Tender documents/Agreements of all Engineering Depts.,- Requested by the Secretary, INTUC – Discussed and recommended by the Board of Chief Engineers - Submission of corrected Standard Bid document with amended Labour laws/Acts and other guidelines – For approval – Requested - Regarding.

Ref: -
1. T.O letter No ENC/IW/P&M/EE.I/DEE2/AEE5/SBD/2017, dated 19.05.2017
2. Govt Memo No 5820/Reforms/2017 dated 08.08.2017
4. Govt Memo No 5820/Reforms/2017 dated 10.10.2017
5. Govt Memo No 5820/Reforms/2017 dated 13.11.2017
8. T.O letter No ENC/IW/P&M/EE.I/DEE2/AEE5/SBD/2017, dated 09.03.2018
9. Secretary, INTUC, AP & Telangana Lr No. INTUC/ENC/Irrigation/HYD/204/2019/Incrpn.in AGB dated 16.10.2019
10. Secretary, INTUC, AP & Telangana Lr No. INTUC/204/ENC/Irrigation/HYD/2019/corrected copy dated 26.09.2019
11. Minutes of Board of Chief Engineers meeting held on 19.11.2019

***

It is to submit that, the Common Standard Bid Document (CSBD) for all Engineering Departments recommended by Board of Chief Engineers (BOCEs) was submitted to the Government vide reference 1st cited requesting for its approval.
After introduction of new GST Act, the Finance Dept., has communicated certain remarks on the above furnished Standard Bid Document (SBD) vide references 2\textsuperscript{nd} to 6\textsuperscript{th} cited. Clarifications to the above remarks was submitted to the Government vide ENC(I) letter 7\textsuperscript{th} cited duly requesting for the approval of submitted Standard Bid Document.

In this regard, the Secretary, INTUC, AP & Telangana vide letters 9\textsuperscript{th} & 10\textsuperscript{th} cited has informed that certain changes/amendments have been made to the labour laws/acts of Works Contracts and requested to incorporate these amended labour laws/acts in the SBD for all Engineering Departments for its implementation.

The comprehensive Labour laws/Acts with its amendments and other guidelines as requested by the Secretary, INTUC were placed before Board of Chief Engineers during its meeting held on 19.11.2019 for its detailed discussion and necessary recommendations in the matter.

The Board of Chief Engineers has discussed the issue in detail duly examining the representation of Secretary, INTUC and recommended to include the amended Labour laws/Acts as proposed by the Engineer-in-Chief(Irrigation), I&CAD Dept., in Standard Bid Document of all Engineering Departments for its implementation, accordingly.

Further, as per recommendations of Board of Chief Engineers on issues related to Standard Bid Document for all Engineering Departments during its meetings held on 29.11.2018, 23.03.2019 and 27.06.2019 the relevant clauses of SBD are to be corrected as detailed below.

1) **Submission of Solvency certificate.**

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<thead>
<tr>
<th>S No</th>
<th>Clause No &amp; Page No</th>
<th>Existing</th>
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<td>(As per BOCEs recommendations dated 29.11.2018)</td>
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<tr>
<td>1</td>
<td>3.3 (B), Page</td>
<td>Net Liquid assets / Credit facilities of not less than Rs: -- excluding the</td>
<td>Net Liquid assets / Credit facilities of not less than Rs: ------------ excluding the existing commitments</td>
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2) Settlement of disputes.

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<tbody>
<tr>
<td>1</td>
<td>23.2, Page No 47</td>
<td>Settlement of claims for Rs 5.00 lakh /- and below by Arbitration.</td>
<td>All disputes or differences arising out of or relating to the Contract shall be referred to the adjudication as follows:</td>
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All disputes or differences arising out of or relating to the Contract shall be referred to the adjudication as follows:

a) Claims up to a value of Rs 2.00 lakh Superintending Engineer of other circle, ---

b) Claims above Rs 2.00 lakh and up to Rs 5.00 lakh. Another Engineer - in - Chief / Chief Engineer ------

(As per GO Rt No 597 Law(B) Dept., dated 31.10.2018 and BOCEs recommendations dated 23.03.2019)
2 | 23.2, Page No 48 | a) **Claims above Rs. 5.00 lakh**
All claims of above **Rs. 5.00 lakh** are to be settled by a Civil Court of competent jurisdiction by way of civil suit and not by arbitration.

b) **Claims above Rs. 40.00 lakh**
All claims of above **Rs. 40.00 lakh** are to be settled by a Civil Court of competent jurisdiction by way of civil suit and not by arbitration.

3) **GST Returns certificate.**

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<td>(As per BOCEs recommendations dated 27.06.2019)</td>
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<tr>
<td>1</td>
<td>4 (i), Page No 14</td>
<td>GST Registration and latest valid clearance certificate in Government of Telangana. <strong>GST returns shall be for the preceding quarter i.e., three (3) months before the month of tendering</strong></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>15 (d), Page No 23</td>
<td>GST Registration Certificate and Clearance certificate of Government of Telangana <strong>GST returns shall be for the preceding quarter i.e., three (3) months before the month of tendering</strong></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>3, Page No 30</td>
<td>GST Registration &amp; Clearance certificate in Government of Telangana <strong>GST returns shall be for the preceding quarter i.e., three (3) months before the month of tendering</strong></td>
<td></td>
</tr>
</tbody>
</table>

It is to inform that during the meeting held by the Chief Secretary on 23.09.2019 at BRKR Bhawan with Finance Dept., and all the concerned Special Chief Secretaries/Principal Secretaries/ Secretaries to Govt., and HODs of all Engineering
Departments the subject issue was discussed in detail and opined that Common Standard Bid Document for all Engineering Departments is a long pending issue and essential for uniform implementation of guidelines/orders of the Government and adoption of Standard Specifications/Codal provisions in execution of Public Works by all Engineering Departments under the common control of State Government.

In this regard, the Chief Secretary to Government has directed the Finance Department to convene a meeting with all the concerned ENCs/HODs of Engineering Depts to resolve all issues related to SBD and finalize accordingly.

In view of the above, the corrected Standard Bid Document of all Engineering Departments duly incorporating comprehensive amended Labour laws/Acts and other guidelines as recommended by Board of Chief Engineers is here with submitted for favour of information and requesting to accord approval of the Government for the same, at an early date.

Encl: 1. Copy of corrected SBD as per BOCEs recommendations
2. Copies of Minutes of BOCEs
dated 29.11.2018, 23.03.2019, 27.06.2019 and 19.11.2019
3. Copy of GO Rt No 597 Law(B) Dept., dated 31.10.2018
4. Copies of ref. 9th & 10th cited

Yours faithfully,

Sd/- C. Muralidhar; Dt 06.12.2019
Engineer-in-Chief (Irrigation)
Irrigation & CAD Department
1. Copy communicated to the Engineer-in-Chief (AW), I & CAD Department and Chairman, Board of Chief Engineers, for favour of information.

2. Copy communicated to the ENCs/HODs of all Engineering Departments for information and necessary action in the matter.

3. Copy communicated to all the ENCs/CEs of Irrigation & CAD Dept for information and in compliance of Statutory requirements towards implementation of amended Labour laws it is directed to incorporate all relevant Labour laws/Acts in Tender Documents of I&CAD Dept., as recommended by BOCEs in its meeting dated 19.11.2019, accordingly.

Sd/- C. Muralidhar; Dt 06.12.2019
Engineer-in-Chief (Irrigation)
Irrigation & CAD Department

for Engineer-in-Chief (Irrigation)
GOVERNMENT OF TELANGANA
IRRIGATION & CAD DEPARTMENT

From
C. Muralidhar, B.Tech.
Engineer-in-Chief (Irrigation),
Irrigation & CAD Department
2nd Floor, Jalasoudha Building,
Erramanizil, Hyderabad

To
All the ENCs and CEs of I&CAD Dept

Cir. letter No ENC/IW/P&M/EE/DEE.2/AEE.5/SBD/2017          Dt: 25.04.2020

Sir,

Sub:- I&CAD Dept - Incorporation of Labour enactments laws in all the Tender Documents/Agreement Bonds of works in Irrigation & CAD Department - certain observation submitted for necessary action in the matter - Instructions - Communicated - Regarding.

Ref: 1. ENC(1) letter No ENC/IW/P&M/EE.1/DEE.2/AEE.5/SBD/2017 dated 06.12.2019

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It is to inform that, the Secretary, Indian National Trade Union Congress(INTUC), AP and Telangana vide letter 2nd cited has furnished certain observations on agreements/Bids as follows

a. The mandatory provision of production of License before initiation of Contract work as stipulated under Interstate migrant workmen (RoE & CoS) Act, 1979 was not incorporated.

b. In many other projects, the incorporation of the labour enactment is not implemented.

Vide reference 1st cited, all the ENCs & CEs of I&CAD Dept., were directed to ensure for inclusion of all the relevant Labour enactment laws in the Tender Documents/Agreements Bonds of works of Irrigation Department under Clause No 13 of accorded SBD i.e., “Salient features of some major labour laws applicable to establishment engaged in buildings and other construction works” for its strict implementation, without fail.
In this regard, as a statutory requirement, all theENCs and CEsof Irrigation & CAD Dept are hereby once again directed to ensure for inclusion of all relevant Labour enactment laws in the Tender Documents / Agreements Bonds of works of Irrigation Department for its strict implementation, without fail.

Encl: Copy of ref 2nd cited.

Yours faithfully,

Sd/- C. Muralidhar, Dt 25.04.2020
Engineer-in-Chief (Irrigation)
Irrigation & CAD Department

Copy to the Secretary, INTUC (AP & Telangana), H No 3-5-67, 00Flat No 201&202, Thirumala Towers, Indira Nagar, Ramanthapur, Hyderabad-500013 for information.

Copy to Dy EE, Computers with a request to place in I&CAD Dept., website

[Signature]
for Engineer-in-Chief (Irrigation)
INdian National trade union congress
For the States of Andhra pradesh and telangana Committee

Address for Correspondence: # 3-5-67, Flat No. 201 & 202, Thirumala Towers, Indira Nagar, Ramanaapur, Hyderabad - 500 013.

President
Dr. G. Sanjeeva reddy
Central INTUC President

No. INTUC/204/ENC/Irrigation/HYD/2020/Incorp. in SBD & ABD

To
The Engineer-in-Chief,
Irrigation Wing,
I & CAD Department,
Jalasoudha Building, Errummanzil,
Hyderabad – 500 082.

Respected Sir,

Sub: Irrigation & Command Area Development Department – Incorporation of the salient features of various Labour Enactments in the Tender Bid Documents and Agreement Bonds of various works taken up in the Department – Requested – Reg.

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I, as a trade Unionist have been requesting your Department for proper inclusion of all salient features of various Labour Enactments in all the Tender Bid Documents and Agreement Bonds to enlighten the Contracting Agencies and to make him abide by the rules of enactments relating to workers.

I have observed that the tender bid documents of works of your Department for which tenders have now been called for are neither covering all the important provisions of Labour Enactments nor covering the provisions amended recently. In such cases, the said documents do not stand the test of litigation and the Principal Employer may get into problems. In certain tender bid documents of the works of your Department, which have come to our notice, the provisions observed at Fair Wages Clause and salient features of some major labour laws, are mentioned below for verification.

<table>
<thead>
<tr>
<th>SL NO</th>
<th>NAME OF THE CIRCLE</th>
<th>NAME OF THE WORK</th>
<th>ENCLOSED AS PAGE NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>O/o. the Superintending Engineer, Irrigation Circle, Nirmal</td>
<td>Construction of Check dam across Kadam vagu near Madhapur(V), Neradigonda(M), Adilabad District.</td>
<td>5 to 12</td>
</tr>
<tr>
<td>2</td>
<td>O/o. the Superintending Engineer, Irrigation Circle, Nizamabad</td>
<td>Minor Irrigation – Nizamabad Dist., Construction of 06 No’s of Check Dam’s under Jurisdiction of Nizamabad Rural Constituency, Nizamabad Dist.</td>
<td>13 to 20</td>
</tr>
<tr>
<td>3</td>
<td>O/o. the Superintending Engineer, Irrigation Circle, Karimnagar</td>
<td>Minor Irrigation – Construction of 4 Nos of Check Dams across Local Vagu near Suddakattu, Kodimial (v) at Sidhulu, Nachupally (v), at Parre Kaluva, Apparaopet (v) and near Railway Bridge, Poodur (v), Kodimial (M), Jagital district.</td>
<td>21 to 26</td>
</tr>
<tr>
<td></td>
<td>O/o. the Superintending Engineer, GVC-IV, LMD Colony, Karimnagar.</td>
<td>SRSP – Stage I – Construction of Minors &amp; Sub-Minors on Distributory D-838 near Bommareddypally (v), Dharmaram (M) Peddapally (Dist).</td>
<td>27 to 32</td>
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<td>5</td>
<td>O/o. the Superintending Engineer, Irrigation Circle, Mahabubnagar District</td>
<td>Minor Irrigation – Construction of Check Dams across Pedda Vagu (3) works at Rachala (V), Gowridevapally (V) &amp; Ponnakal (V) in Addakal (M) and (2) works at Kommireddypally (V) &amp; Nizalapur (V) in Moosapet (M) of Deverkadra Constituency in Mahabubnagar District.</td>
<td>33 to 38</td>
</tr>
<tr>
<td>6</td>
<td>O/o. the Superintending Engineer, Irrigation Circle, Warangal.</td>
<td>Construction of 03 Nos Check dams across shambunipally vagu near Neralla (V) (1 No), near Shanigaram (V) (2 Nos), Kamalapur (M), Warangal Urban District.</td>
<td>39 to 44</td>
</tr>
<tr>
<td>7</td>
<td>O/o. the Superintending Engineer, Irrigation Circle, RBLISP Circle, Pedbair</td>
<td>Excavation of Approach Channel from Package 19 canal chainage at Km.12.535 to Venugopala Samudram near Velloor Village, Peddamandadi Mandal, Wanaparthi District.</td>
<td>45 to 50</td>
</tr>
<tr>
<td>8</td>
<td>O/o. the Superintending Engineer, Irrigation Circle, Nalgonda</td>
<td>Minor Irrigation – Construction of Check Dam Across Haliya River near Hazariguda H/o Perur (V), Anumula (M), Nalgonda District.</td>
<td>51 to 56</td>
</tr>
</tbody>
</table>

I am to state that rules, regulations of various Labour Enactments are common to all works in respect of our Telangana State and therefore, all the Governmental Departments should have the similar clauses as far as the Labour Enactments are concerned. I am enclosing a statement comparing the clauses that are incorporated in the above works with that of the clauses incorporated in the Sita Sagar Multi-purpose Project for your information. I am furnishing below the lapses as observed in the Tender Document of your Departmental Works.

i) The name of the Workmen’s Compensation Act, 1923 was amended as Employees’ Compensation Act, 1923. The same was not altered in the bid document.

ii) The Contractor should produce the License under the Inter-State Migrant Workmen’s (Regulation of Employment & Conditions of Service) Act, 1979 and Rules 1982, at the time of Agreement, if he engages interstate migrant workmen. There is no mention of the same in the entire document.

iv) The details of payment of salaries to workers, maintenance of registers and records and their production on demand were not specifically mentioned in the tender documents, which shall be grave in times of litigation.

The Irrigation Department in the works of Sitamma Sagar Multipurpose Project has incorporated most of the important features of Labour Enactments which are furnished in the right side of the comparative statement enclosed to this letter (Page No. 63 to 68).

I further wish to submit that in the work of "Construction of Check Dam across Esa Vagu, Rudraram (V), Shabad (M), Rangareddy District" (Page No. 57 to 62), the Superintending Engineer, Irrigation Circle, Rangareddy District, Red Hills, Hyderabad has mentioned the names of the labour enactments but has not furnished the salient features of the Labour Enactments. Therefore points that are to be incorporated in the above 8 works also has to be incorporated in this tender bid document also.

Therefore, I humbly request your good self to issue instructions to the tender calling, tender finalizing and tender signing authorities to scrupulously incorporate all the important and up-to-date amendments of Labour Enactments in the Fair Wage Clause and Salient features of Labour Enactments in the General / Special Clause of Tender Bid Document / Agreement Bond relating to all works like Civil / Mechanical / Electrical / Tunneling / Excavation / Lining / Formation of Bunding / Dams / Reservoirs / Fabrication / Erection / Operation & Maintenance works etc., of your Department may be the tenders are of the type of EPC / Non-EPC / Open / LS / PPP / BOT / FBOT etc.

I hopefully look forward to your favourable action as requested above and oblige.

Thanking you in anticipation sir,

Yours faithfully,

DEVASANI BIKSHAPATHI
Secretary