

NOTIFICATION

RULES AND REGULATION FOR OIL'S FHQ REGISTERED CIVIL ENGINEERING CONTRACTOR FIRM

In supersession of earlier Circulars/Notifications in connection with the OIL's FHQ Registered Civil Engineering Firms, the following rules and regulations will be applicable for all OIL registered firm for Civil works with immediate effect.

(A) Registration of the firms in OIL will cease to exist or the firm will be de-registered in the following events:

(I) Proprietorship Firm

- a. Death of the Proprietor
- b. Change in the legal status of the Firm, i.e. conversion to any other legal entity.
- c. The Proprietor is found to be proprietor or partner in other OIL's registered Firm.
- d. The Proprietor is found to be an employee in any Government / Quasi Government /Semi Government/ Public Sector undertaking or a WCL in OIL having key number.
- e. The Proprietor is found to be a dependent of OIL Employee, unless such proprietor furnishes a Certificate from the concerned department of OIL stating that his/her name is deleted from the record of dependent family member.
- f. Transfer of ownership.
- g. Banning of the Firm under Company's Banning Policy.
- h. If the proprietor is convicted by any Court of Law.
- i. Non-Participation in any of the tenders floated by OIL for Civil Engineering Works for a consecutive period of five (05) years.

(II) Partnership Firm/Societies

- a. Dissolution of the Firm in accordance with the provision of Indian Partnership Act, 1932.
- b. Dissolution of the Society in accordance with the provision of Indian Societies Act, 1860.
- c. On death or Retirement of one partner where the Partnership Firm comprises of two partners only.
- d. If a partner is found to be a proprietor or partner in more than one OIL's registered Firm at the same time.
- e. Change in the legal status of the Firm, i.e. conversion to any other legal entity.
- f. Any of the partner or member is found to be / becomes an employee in any Government / Quasi Government /Semi Government/ Public Sector undertaking or a WCL in OIL having key number, unless such partner retires within 15 days of such employment.
- g. Any of the partner or member is found to be / becomes a dependent of OIL Employee, unless such partner or member furnishes a Certificate from the concerned department of OIL stating that his/her name is deleted from the record of dependent family member, or such partner retires within 15 days of becoming dependent of OIL employee.

- h. Transfer of ownership of the Firm.
- i. Induction of new partner(s), except induction of Class-I legal heir of the partner(s).
- j. Banning of the Firm under Company's Banning Policy.
- k. If any of the Partner/Member of the Firm/Society is convicted by any court of law and such Partner/Member is continued to be Partner/Member of the Firm/Society.
- l. Cancellation of registration of the Firm/Society by the Registrar of Firms & Societies, Guwahati, Assam.
- m. Non-Participation in any of the tenders floated by OIL for Civil Engineering Works for a consecutive period of five (05) years.
- n. Retirement of one partner due to old age, medical issue or any other personal reason where the Partnership Firm comprises of two partners only.

(B) Notwithstanding anything contained hereinabove,

- I) Consequent upon death of the proprietor of an OIL registered proprietorship firm, his/her dependent family member may be given registration in Class-D as a proprietorship firm, provided

(i) Dependent family member is a Class-I Legal heir.

(ii) Dependent family member makes application within 03 months of the death of the proprietor along with all relevant documents in this regard.

NOTE: For a particular firm, the benefit of registration to the Dependent Family Member as aforesaid shall be extended for one time only (i.e., In case of death of the Proprietor of an OIL registered proprietorship firm, the Class-I legal heir dependent may be given registration to his/her proprietorship firm, if applied within 03 months of death of the proprietor; subject to fulfilment of the eligibility conditions. However if the proprietor of the new firm also dies, his/her dependent shall not be eligible to avail this benefit again).

- II) For a Partnership Firm comprising of only two partners, the registration of the Firm shall be cancelled on death of one of the partners or retirement of one partner from the firm due to conditions laid as per A.II.(f), A.II.(g) and A.II.(n)above. However, Company at its discretion may grant the other partner new registration as Proprietorship Firm in his/her name in one class below its existing class, provided the other partner makes an application within 03 months of death or retirement of second partner. However, there shall be no change in the status of the Firm if the Firm is in Class-D. Moreover, if the erstwhile partnership firm had entered into a contract with OIL, the other partner will be allowed to execute the contract, as per the terms of the contract.

- (C) No Firm without the written permission of the Company shall issue Power of Attorney to carry out the jobs under the Miscellaneous Maintenance Contract awarded to it, except to one of its partners of the partnership firm or members of society. Company may grant permission to appoint Attorney to a Proprietorship Firm for Miscellaneous Maintenance Contract awarded to it on following circumstance only:

If the Proprietor of a Proprietorship firm is unable to attend the office of OIL, on account of his/her poor health/medical grounds and on submission of a medical certificate from an authority, not less than Civil Surgeon/Joint Director of Health Services of the District, where the proprietor resides.

Provided such Power of Attorney is given to his/her Class-I Legal Heir (not below 18 years) who is himself/herself not a OIL's registered contractor and not an employee in Government /Quasi Government/ Semi Government/ Public Sector undertaking or a WCL in OIL having key number.

- (D) Partnership Firm or Societies must be registered in the Registrar of Firms & Societies, Assam and duly renewed time to time. On registration, copy of the Registration Certificate and/or renewal certificate should be submitted to OIL.



(A. J. Sarmah)

Chief General Manager Contracts (HoD)
For Resident Chief Executive



Copy to:

- : Notice Board, Contracts Department
- : Notice Board, Civil Engineering Department
- : OIL's Website