

## **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 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. Withdrawal of tender bid after opening without valid and justifiable reasons.
- h. Commission of Misconduct by the proprietor. Misconduct shall include intimidation, threat, insult, assault, disregard, disrespect, misbehaviour towards Company's employee, wilful damage to Company's property, theft or diversion of Company's materials, undue enrichment at the cost of the Company.
- i. Non-compliance of any statutory obligations.
- j. Debarment / banning of the Firm under Company's Banning Policy.
- k. If the proprietor is convicted by any Court of Law.
- l. Non-Participation in any Civil Engineering Works / Service tenders for a period of three years.

**(II) Partnership Firm/Societies**

- a. Dissolution of the Firm in accordance with the provision of Indian Partnership Act, 1932
- b. On death or retirement of one partner, where the Partnership Firm comprises of two partners only.
- c. If a person is found to be a proprietor or partner in more than one Firm at the same time.
- d. Change in the legal status, i.e. conversion to any other legal entity.
- e. 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 is retired and submit Deed of Retirement to the Company within 15 days of such employment.

- f. 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.
- g. Transfer of ownership of the Firm.
- h. Induction of new partner(s), except induction of Class-I legal heir of the partner(s).
- i. Withdrawal of bid after opening without valid and justifiable reasons.
- j. Commission of Misconduct by any of the partner or member. Misconduct shall include intimidation, threat, insult, assault, disregard, disrespect, misbehaviour towards Company's employee, wilful damage to Company's property, theft or diversion of Company's materials, undue enrichment at the cost of the Company.
- k. Non-compliance of any statutory obligations.
- l. Debarment / banning of the Firm under Company's Banning Policy.
- m. 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.
- n. Cancellation of registration of the Firm/Society by the Registrar of Firms & Societies, Guwahati, Assam.
- o. Non-Participation in any Civil Engineering works /Service tenders for a period of three years.

(B) Notwithstanding anything contained hereinabove,

- I) Consequent upon death of the proprietor of a proprietorship firm of an OIL registered 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 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 to the Dependent Family Member shall be given for one time only.** (If a firm is once cancelled due to death of proprietor, the Class-I heir dependent may be awarded another registered firm; however if the dependent who was proprietor of the new firm also dies, his/her dependent will not be awarded any more registered firm.)

- II) If a Partnership Firm comprising of only two partners, the registration of the Firm shall be cancelled on the death of one of the partners. However, Company at its discretion may allow the surviving partner to register as Proprietorship Firm in one class below its existing class. However, there shall be no change in the status of the Firm if the Firm is in Class-D.

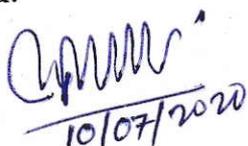


- (C) No Firm without the written permission of the Company shall issue Power of Attorney to carry out the jobs under the Miscellaneous Maintenance Contract awarded to it, except to one of its partners of the partnership firm or members of society. Company may grant permission to appoint Attorney to 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. Copy of the Registration Certificate and/or renewal certificate should be submitted within three (03) months of publication of this notification. If a Partnership Firm or Society do not submit the Registration Certificate before the stipulated time, the firm will be kept in suspension till the required documents are submitted.

  
10/07/2020  
(U. N. Jena)

**Chief General Manager (Contracts)**  
**For Resident Chief Executive**

Copy to:

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

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