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SCHEDULE 1

INFRASTRUCTURE DEVELOPMENT AUTHORITY, BIHAR

IN EXERCISE OF POWERS CONFERRED UNDER SEC 66 READ WITH SECTION 10 (XXIX) OF BIHAR STATE INFRASTRUCTURE DEVELOPMENT ENABLING ACT, 2006, THE AUTHORITY, WITH APPROVAL OF THE STATE GOVERNMENT, IS PLEASED TO MAKE THE FOLLOWING REGULATIONS TO CARRY OUT THE PURPOSES OF THE SAID ACT

THE IDA (FINANCIAL, SERVICE AND TECHNICAL) REGULATIONS, 2007

PART 1

The Infrastructure Development Authority (FINANCIAL AND SERVICE)REGULATIONS 2007

CHAPTER-I

1.1 Short Title and Commencement:

These Regulations may be called Infrastructure Development Authority FINANCIAL AND SERVICE REGULATIONS 2007. It shall come into force from the date of publication of the Government Resolution in the official Gazette.

1.2 Application:

These Regulations shall apply to every employee of IDA including those on deputation and also on contract basis to the extent that they are not in contravention of the terms and conditions of their deputation/ contract to IDA.

1.3 Definition:

In these Regulations, unless context otherwise implies:

- i) **Act means** the Bihar State Infrastructure Development Enabling Act, 2006.
- ii) **Appointing Authority** – MD shall be the Appointing Authority.

- iii) **Bank** Means a scheduled nationalized bank in which the funds of the IDA may be kept in Savings/ fixed deposit account.
- iv) **Chairperson** means the Chairperson of the IDA.
- v) **Controlling authority** in relation to all the posts in category A, B and C shall be the Managing Director.
- vi) **Emoluments** means the emoluments as provided in schedule and as admissible on the relevant dates and may include allowances as specified in the Regulations.
- vii) **Employee** means any person serving the IDA on any post with regular emoluments, it includes those on deputation and also on contract basis.
- viii) **Employee on Deputation** means an employee of any other department /agencies/authority or non government organization or a Society whose services are obtained by the IDA on deputation.
- ix) **Government** means Government of Bihar
- x) **Inhouse Consultants** are the Consultants as indicated in Regulation 15 of the Technical Regulations of the IDA.
- xi) **Managing Director** means Managing Director of the IDA
- xii) **Nodal Agency for the PPP** means an Agency declared to be Nodal Agency for all PPP Projects.
- xiii) **PPP means** Public Private Partnership Project based on a contract or a concession agreement, between a government or a statutory entity on the one side and a private sector company on the other side, for delivering an infrastructure service on payment of user charges.
- xiv) **Private Sector Company means** a company in which 51% or more of the subscribed and paid up equity is owned and controlled by a private entity.
- xv) **Regulations** mean Regulations of the IDA and as modified from time to time in accordance with the procedure laid in this regard.
- xvi) **Selection Committee** in respect of post means committee of that name indicated in the Regulations.

1.4 Committees

The following shall be the Committees under the Regulations:-

1.4.1 Project Appraisal Committee (PAC) formed with the approval of the IDA, and shall comprise of

- (i.) Managing Director, IDA
- (ii.) Director (Adm), Director(PI) and Director(Finance)
- (iii.) Chief Engineer, Technical Vigilance, Cab Sectt or his representative
- (iv.) Director (Technical), Deptt of Industries or his representative.
- (v.) Additional/Joint Secretary, Finance Department, Govt. of Bihar
- (vi.) Chairman , Bihar Pollution Control Board or his representative
- (vii.) Consultant(s) of the IDA - to be nominated by the MD.
- (viii.) Head , CII, Patna or his representative
- (ix.) One Representative each from BIA and FICCI.
- (x.) Secretary of the Deptt (whose project is under consideration) or his representative.

1.4.2(a) The Project Appraisal Committee (PAC) shall consider the projects and other expenditure proposals as appearing in Sec.4.1

1.4.2(b) All proposals will be submitted to the concerned authority having delegated powers provided for final approval. In case the designated authority does not agree with the recommendations of the PAC, she/he shall record the reasons for such disagreement.

1.4.3 Selection Committee formed for the purposes of recruitment and selection for the Category A ,B and C posts in IDA and shall comprise of

- (i) Managing Director - Chairman
- (ii) In charge Administration ,IDA
- (iii) A representative of SC/ST from the Department of Personnel and Administrative Reforms, Govt of Bihar.
- (iv) In house Consultant(s) of the IDA – to be nominated by MD.

The Selection Committee shall select all categories of employees. However, for category A, it shall also seek the approval of the IDA.

1.4.4 Internal Purchase Committee – MD shall constitute this committee. It shall clear proposals from Rs 1 lakh to Rs 10 Lakhs.

1.4.5 Technical Committee – shall comprise of the following –

1. Director (PI)
2. Chief Manager (Technical)
2. Chief Manager (BOT)
3. Chief Manager (PDA)

4. Chief Manager (PPP)
 5. Chief Manager (Legal)
 6. Representatives of CII/BIA
 7. In house Consultant(s) of the IDA – to be nominated by the MD.
- MD may reconstitute the above committee or add/delete members.

Chapter II FUND FLOW ARRANGEMENT

2.1 Funds of the Authority

The funds of the Authority shall consist of the following:

- Grants received from the Government of India.
- Grants-in-Aid from the State Government.
- Funds by the Govt Departments for carrying out specific projects under Plan and Non plan heads.
- Grants and donations from trade, industry, institutions and individuals.
- Receipts from disposal of assets.
- Receipts from User charges, concession/consultancy fee etc
- Interest earned from Deposits.
- Fee and penalties levied and realised.
- Income on management of Assets.
- Income on execution of projects for Govt Deptts, Govt agencies, Local Authorities of the State(s) or Central Government or any other projects entrusted or obtained through Competitive Bidding process or Negotiation.

The Authority shall be allowed to charge a handling fee (Establishment Cost) not exceeding @ 5% of project cost from such agencies/Govt Deptt as may be decided by the MD.

Chapter III - ROLE OF IDA

The IDA may, with regard to any PPP Project

- Work as a Consultant
- Render Advisory Assistance
- Approve Projects
- Execute Projects undertaken through IDA.

IDA may lay down regulations with regard to procedures, user charges, penalties etc in relation to PPP Projects. (Annexure B to Schedule I)

Chapter-IV FINANCIAL POWERS AND ACQUISITION/DISPOSAL OF LAND, BUILDINGS ETC

- 4.** All proposals going to Authority must necessarily be approved by the PAC .

4.1 Powers and Procedures

- i) The IDA shall also lay down procedures for exercising financial powers to its various office bearers.(Annexure C to Schedule I)
- ii) The IDA shall also lay down procedures for acquisition of land , buildings and such other assets by purchase or otherwise, including their disposal .

4.2 Powers of the Managing Director

The Managing Director shall be the executive head of the IDA and shall be responsible for proper administration of the affairs and funds of the IDA and implementation of various activities of the Authority under the directions and guidance of the Chairman of IDA. For the effective discharge of his function he shall have powers to

- (a) Constitute steering group for each of the project components and functional areas.
- (b) Constitute a task force, comprising heads of the steering groups which would function as a cohesive team for achievement of the objects of the IDA.
- (c) Prescribe the duties of all officers and staff of the IDA.
- (d) Exercise such supervision and disciplinary control as may be necessary.
- (e) Coordinate and exercise general supervision over the activities of the IDA.
- (f) Conduct meetings of the IDA and keep a record of proceedings of these meetings in accordance with the Regulations and.
- (g) Discharge such other functions as may be assigned to him by the Chairman in furtherance of the objects of the IDA.
- (h) He shall exercise financial powers as mentioned in 4.1.

4.3 Powers of Chairman

- (a) The Chairman shall be responsible for overall administration of the affairs and funds of the IDA and implementation of various activities of the Authority.
- (b) The Chairman shall chair all the meetings of the IDA. In his absence, the Vice Chairman may chair the Board of the IDA.
- (c) He shall exercise financial powers as mentioned in section 4.1.
- (d) Chairman shall have power to co opt such members in the IDA Board as deems fit.

4.3.1 (a) The financial powers of the Authority, which have not been delegated to a subordinate authority, shall vest in the Chairperson.

(b) Unless otherwise provided by any special order, it shall be within the competence of an authority to exercise the financial powers delegated to another authority subordinate to it.

4.3.2 The Chairperson may approve of any activity in anticipation of the decision of the IDA and seek past facto approval on the same from the IDA.

4.4 Review / Revision of Financial Powers

The IDA may, from time to time, review and revise its own procedures and financial powers of the office bearers of the bodies of the Authority laid down as per Sec 4.1 above, if considered necessary.

Chapter V FINANCE AND ACCOUNTS

5.1 Basis of preparation of Financial Statements

The Financial Statement to be prepared on the cash basis of accounting and the applicable accounting standards issued by the Institute of Chartered Accountants of India .The financial records and accounts of the IDA shall be maintained in the forms and registers as prescribed .

5.2 Bank Accounts

The funds of the IDA shall be kept in a Scheduled Nationalised Bank.

Chapter VI AUDIT

6.1 Audit of Accounts

In order to have a satisfactory financial accountability it is essential to have an effective audit system for IDA.

Audit will be of two types – Internal and External.

6.1.1 External Audit

The purpose of external audit is to opine whether the financial statements of the IDA represent a true and fair view of the financial position as at end of the financial year

and of the operations for the year ended on that date. External audit, for the purpose of the submitting audited financial statements to the State Govt, will be carried out by a firm of chartered accountant. In addition, the C&AG of India through State AGs may carry out a supplementary audit under the C&AG “Duties, Powers & Conditions of Services Act, 1971.”

6.1.2 Internal Audit/ Management Audit

The purpose of internal/ management audit is to determine whether the financial management arrangements including internal control mechanism as developed are working effectively, identify areas of for improvement and enhancing efficiency. The internal audit / management audit will be carried out by the Authority either on its own or through an outsourced arrangement.

Chapter VII MISCELLANEOUS

(A) The income and property of the Authority, howsoever, derived shall be applied towards the promotion of the objectives thereof, subject nevertheless to financial discipline in respect of the expenditure of grants imposed by the Government from time to time.

(B) If on the winding up or dissolution of the Authority there shall remain after satisfaction of its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members or any of them, but shall, consistently with the objectives of the Authority, be dealt with such manner as the Government may determine.

Chapter IX REMOVAL OF DOUBTS

Removal of doubts- Where a doubt arises as to the interpretation of any of the provisions of these Regulations, the matter shall be referred to the Board of IDA for decision.

Chapter X DUES OF IDA

The IDA shall be free to realize all its dues from firms/promoters/any individual/company as if they are dues recoverable under Bihar and Orissa Public Demands Recovery Act.

Chapter XI PPP Secretariat

The IDA shall host the Secretariat for PPP and shall be the Nodal Agency for PPP initiatives in the State.

PART II

SERVICE REGULATIONS AND PROCEDURES

1. Recruitment and Appointment

1.1 Recruitment would be through any of the following three routes:

A) Appointments from open market: all such appointments will be on contractual basis for a fixed tenure.

B) Appointments on Deputation basis: all such appointments will be regulated in terms of the State Government Regulations relating to Deputation of its officers/staff.

C) Individuals recruited and paid for by an outside agency [e.g. Government of India and /or Development Partners] but posted to work in Authority Secretariat: all such persons shall be governed by the terms of employment of the organisation /agency concerned. However, they shall be required to report to the MD.

1.2 Posts and Appointments to be of temporary nature - All appointments would be temporary and would be made for the contract/ deputation period as determined by the IDA. All the posts indicated in Annexure A to Schedule 1 are temporary in nature and may be abolished by the Authority. The Authority may create any additional posts, purely on temporary basis, if the need is felt.

1.2.1 All the employees on contract or deputation shall sign contract as applicable.

1.2.2 Normally all the contracts shall be for a period of 12 months.

1.2.3 The appointing authority shall be the MD or an officer designated by the MD.

1.2.4 A person who has resigned or has been dismissed from the IDA shall not be appointed again to any post.

1.3 Category of Posts and Minimum Qualification

- (i) The posts under the IDA shall be divided into groups as specified in *Annexure A* to Schedule 1. However, the authority may review the requirement every three years and may create additional posts if required as per work load or reduce the number of posts if found not required.
- (ii) The posts are categorised in Categories A, B and C. Recruitment to all categories shall be made by Selection Committee. For category C posts, the

Authority is empowered to obtain manpower from either private HRD Service Agencies or through direct advertisement according to the need and work. MD shall be competent to decide number for category C posts.

- (iii) All the posts, except Chairman, MD and Directors (Adm, Fin, and PI) can be filled from either deputation or contract.
- iv) In case of persons taken on deputation from State/Central Govt. or from any organization, the last salary drawn along with the deputation allowance, or project allowance as permissible will be payable by the IDA
- v) Minimum qualification for each post shall be as per Annexure A.

1.4 Termination of Service

- (a) The services of an employee may be terminated by the MD without assigning any reason by a notice of one month in writing to the employee or on payment of one month's pay and allowances in lieu of such notice.
- (b) The service of an employee shall stand terminated:-
 - (i) If his appointment is made for a specified period on the expiry of such period unless the appointment is extended for a further period.
or
 - (ii) If his appointment is made against a temporary post, on the abolition of the post or on the expiry of the period for which the post is created.
or
 - (iii) If (s)he fails to resume duty on the expiry of the maximum period of extraordinary leave granted to him and after his explanation, if any, in reply to a show cause notice, which should be given in all such cases, has been taken into account.
Or
 - (iv) If serious charges of misconduct against an employee are established.

1.5 Renewal of Contract & Re employment

- a) The MD may renew/cancel the contract at end of 12 months. Upon renewal, he may increase or decrease the remuneration for the next 12 months up to 10% (Ten percent). Beyond 10%, approval of IDA Board shall be necessary.
- b) MD shall be empowered to cancel the contract before the expiry of the term of the contract.

- c) An employee whose services have been removed from the Authority or who has resigned shall not be able to seek a reemployment of any type at any stage with the Authority.

1.6 Resignation

- a) An employee may resign from the service of the IDA by giving notice of one month in writing addressed to the appointing authority or on payment of one month's pay and allowance in lieu of such notice.
- b) The appointing authority may, if it deems proper in any special circumstances, permit an employee to resign from the service of the IDA by notice of less than a month.
- c) The resignation shall be effective from the date of its acceptance by the Appointing Authority.

1.7 Remuneration

- a) Remuneration for the posts under IDA shall be as specified in *Annexure A* to Schedule 1. These are consolidated package (including HRA) and nothing else shall be admissible. No other facilities like PF, Gratuity etc shall be applicable. TDS, however, shall be deducted as per Regulations
- b) The appointing authority may grant higher emoluments/ increments on the recommendation of the selection committee for a professional / technical post.
- c) An employee shall be entitled to the emoluments of the post to which (s) he is appointed from the date on which he assumes charge of the post.
- d) The emoluments in respect of any month shall be disbursed in the first week of the next month. An employee resigning from the service of the IDA without the prescribed notice shall not unless the controlling authority directs otherwise be allowed to draw emoluments due but not drawn. The emoluments so not allowed to be drawn shall not exceed the emoluments and admissible allowances for one month.

1.8 Travelling Allowance

The IDA shall be empowered to fix the TA/DA of the officers and Staff .

1.9 Leave Provisions

- a) Ten days in a year shall be the total leave admissible to employees on contract. Those on deputation shall be given leave as per Bihar Service Code.
- b) Leave cannot be claimed as a matter of right. When exigencies of IDA's service so require, the direction to refuse, postpone, curtail or revoke leave of any description or to recall to duty any employee on leave is reserved with the MD.
- c) An employee proceeding on leave shall intimate the competent authority his address during leave and shall keep the said authority informed of any change in leave address

1.10 Absence after Expiry of Leave

- a) Unless the authority competent to grant leave extends the leave, an employee who remains absent after the end of leave is entitled to no leave salary for the period of such absence.
- b) Wilful absence from duty after the expiry of leave renders an employee liable to disciplinary action.

2. GENERAL CONDITIONS OF SERVICE

2.1 Whole Time Employment

- (i) An employee may be required to serve the IDA at any place and in any post not lower than the post to which he is substantively appointed or to which he is reduced as a measure of punishment in accordance with the laid down provisions.
- (ii) An employee may be required to undergo a training programme within India.

2.2 Transfer and Joining Time

An employee of the IDA can be transferred to any place within Bihar or outside by the MD. Joining time of 3 days (within Bihar) and 7 days (Outside Bihar) may be granted to an employee on transfer to join a new post at a new station.

2.3 Conduct

- a) Every employee shall at all times maintain absolute integrity and devotion to duty.
- b) Every employee shall abide by and comply with the Regulations and Regulations of the IDA and all orders and directions of his/her superior authorities.
- c) Every employee shall extend utmost courtesy and attention to all persons with whom he/she has to deal in the course of his duties.
- d) Every employee shall endeavour to promote the interest of the IDA and shall not act in any manner prejudicial to the interest of IDA.
- e) No employee , while in service of the IDA shall take part in any unlawful activity / of activities of a political or a communal party.
- f) All knowledge and information not within the public domain which may be acquire during the work , shall be, for all time and for all purpose , regarded as strictly confidential and held in confidence , and shall not be directly or indirectly disclose to any person whatsoever, except with the written permission of IDA.
- g) No employee shall join or continue to be a member of an association the objects and activities of which are prejudicial to the interest of sovereignty and integrity of India, public order or morality.
- h) No employee shall bring or attempt to bring any outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to the service in the authority.

2.4 Misconduct

Any breach of these regulations shall be deemed to constitute a misconduct. Without prejudice to the generality of the terms 'misconduct', it shall deemed to include the following :-

- i) Willful insubordination or disobedience, whether or not in combination with others, of any lawful and reasonable order of his superior, or commission of any act subversive of discipline or of good behavior.
- ii) Participation in an illegal strike or abetting, inciting instigating or acting in furtherance thereof.
- iii) Willful slowing down in performance of work, malingering or abetment, or instigation thereof or interference with the work of other employees.
- iv) Theft, fraud or dishonesty in connection with the business or property of the Authority.
- v) Taking or giving bribes or any illegal gratification.

- vi) Absence without leave or over- staying the sanctioned leave without sufficient ground or proper or satisfactory explanation or absence from the employee's appointment place of work without permission or sufficient cause.
- vii) Habitual late attendance.
- viii) Breach of any law, rules, regulation or orders applicable to the establishment.
- ix) Collection without the permission of competent authority of any money except as sanctioned by the law of the land or the rules of the Authority for the time being in force.
- x) Engaging in any business or trade within the premises of the establishment.
- xi) Drunkenness riotous, disorderly or indecent behavior, gambling extortion or committing nuisance on the premises of the establishment
- xii) Habitual negligence or neglect of work .

2.5 Appeals and Review

2.5.1 Appellate Authorities

An appeal shall lie from any original orders made –

- (i) By the Managers to the Officer empowered by the MD.
- (ii) By any other Officer in the head quarter to the MD.
- (iii) By the MD to the Chairman.

2.5.2 Period for Appeals

No appeals shall be entertained unless it is submitted within a period of 15 days from the date on which the orders appealed against is communicated to the person concerned. Provided that the appellate authority may entertain the appeal after the expiry of the said period of it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

2.5.3 Submission of Appeals

- a) Every person submitting an appeal shall do so separately and in his own name.
- b) The appeal shall be addressed to the appellate authority, shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language and shall be complete in itself.
- c) Every appeal shall be submitted to the Managing Director who shall, unless he is himself the appellate authority, transmit it to the appellate authority.

2.5.4 Consideration of Appeal

The appellate authority shall consider every appeal in such manner as it deems fit and pass such order as it deems proper in the circumstances of the case.

Provided that no order shall be passed unless the appellant is given an opportunity of making any representation which he may wish to make against such order.

2.5.5 Review

The IDA may, on its own motion or otherwise, review any order made by an authority and pass such orders as it deems fit in the circumstances of the case.

Where an employee who has been dismissed or suspended, is reinstated, the authority reinstating him shall make an order specifying:-

- (i) Whether the employee may draw for the period of his absence from duty any pay and allowances in addition to the pay and allowances admissible under regulations.
- (ii) Whether such period may be treated as on duty for all or any purposes.

3. MISCELLANEOUS

3.1 Authentication

All orders and decisions of the IDA shall be authenticated by the signature of the MD or by such other officer as may be specified by the IDA in his behalf.

3.2 Working Hours and Holidays

The MD shall be competent to decide the working hours of the IDA. The IDA shall observe such holidays as are observed by the Secretariat of the Government in Bihar located at Patna.

3.3 Personnel Records

The IDA shall maintain personnel records in such form as may be prescribed .

3.4 Deduction of tax at Source

Tax will be deducted as per income tax Regulations and the Authority shall register itself with the relevant authorities in this regard.

3.5 Removal of Doubts

Where a doubt arises as to whether any authority of IDA is superior to any other authority or as to the interpretation or application of any of the provisions of these regulations, the matter shall be referred to the IDA for decision.

Annexure A to Schedule 1

Sl. No.	Category	Name of the Post	Number Sanctioned	Remuneration (per month in Rs. Includes 15% HRA)	Minimum Qualification
1.	Category A	Director (Administration)	1	-	Serving Officers of IAS/BAS of the rank of ADM and above may apply.
		Director (Finance)	1	-	Serving Officers of IAS/IAAS/AG/other GoI Services may apply who have experience in Accounting and Fund Management..
		Director (Program Implementation)	1	-	Chief Engineer rank officers(Retd or serving)of Bihar Govt/GoI/PSUs may apply.
		Chief Administrative Officer	1	35000	MBA(Personnel Adm) /PG Diploma in HRD with at least 5 yrs experience
		Chief Consultant -Finance & Accounts	1	35000	MBA(Finance)/CFA/MFC/ICWA with at least 5 years experience
		Chief Consultant -Planning, Design & Architecture	1	35000	B Tech/BE (Civil) with at least 10 years of experience
		Chief Consultant -BOT	1	35000	B Tech/BE(Civil)/Diploma in Civil Engg PLUS MBA(Finance)/CFA/MFC/ICWA with 5 years experience in Infrastructure Sector.
		Chief Consultant - PPP	1	35000	MBA(Finance)/CFA/MFC/ICWA with at least 3 years experience in PPP projects.
		Chief Consultant - Technical	1	35000	BTech/BE (Civil) with at least 10 years of experience
		Chief Consultant - Legal	1	35000	LLB(5 Yr Course) with atleast 3 years experience. Additional qualification of MBA and Knowledge of negotiating Concessionaire Agreements shall be preferred.
2.	Category B	Consultant - Structure	1	25000	M Tech in Structural Engg with specialisation in Bridge Design with 5 years of experience
		Procurement Officer cum I/C House keeping	1	20000	Dip. in Business Management/Materials Management. 3 years minimum experience required.
		Consultant- Finance	1	20000	PG Diploma in Finance/Inter CA/ICWA with 2 years experience
		Consultant -Administration	1	20000	PG diploma in HRD or Personnel Mgt. Experience required is 2 years.
		Consultant -Advertising & PR	1	25000	PG Diploma in Mass Communication/Journalism/Advt/PR with 2 years experience
		Consultant - Planning	1	20000	BTech/BE (Civil) with at least 2 years of experience
		Consultant -Design	1	20000	BTech/BE (Civil) with at least 2 years of experience
		Consultant - Technical	1	20000	BTech/BE (Civil) with at least 2 years of experience
		Consultant - Law	1	20000	LLB (5 Yr Course)
		Finance Officers	2	20000	MBA (Finance)/M Com with 3 years experience
3.	Category C	Executives	As per need	12000	B Com/Diploma in Engineering (Any field) WITH Diploma in Computer Applications
		Accountant	As per need	12000	B Com/Inter CA with 2 years experience
		Computer Programmer	As per need	12000	MCA with 3 years experience
		Stenographer(Hindi)	As per need	10000	Graduate with Knowledge of shorthand and computers
		Stenographer (English)	As per need	10000	Graduate with Knowledge of shorthand and computers
		Computer Operators	As per Need	10000	Diploma in Computer Applications
		Cashier	As per need	10000	B Com/BSc (Maths)/BA (Maths)

	Store keeper	As per need	10000	Graduate with 5 years experience .
	Driver	As per need	5000	Matric with Drivers License
	Peon/Guards	As per need	4000	Matric
	GRAND TOTAL(A +B)	21	475000	

Note -

1. In category C posts, the MD is empowered to obtain manpower from either private HRD Service Agencies or through direct advertisement according to the need and work.
2. The salary indicated above is maximum. The MD may decide a lower package in any individual case if he so decides.
3. The Remuneration above includes 15 % HRA to be paid to all employees on contract.
4. MD may go for lesser years of experience if sufficient candidates are not available having required number of years.

Role Of IDA

(In terms of Chapter III of the IDA(Financial and Service) Regulations, 2007)

Work involved	Role of IDA				
	As a Consultant to a Department /Agency	As an Advisory Body for Projects of other Deptts – PPP or otherwise.	As an Approving Authority of Infrastructure Projects – PPP or otherwise.	As an Agency directly executing its projects	As an Agency executing projects of other Departments
i) Project Identification	i) It may help Departments in Identifying projects at their request.	i) It may help Departments in Identifying projects at their request.	i) No Role	i) It shall identify projects on its own.	i) It may help Departments in Identifying projects at their request.
ii) Preliminary Appraisal	ii) It may appraise projects at the request of Deptt	ii) It may appraise projects at the request of Deptt.	ii) No Role	ii) It shall appraise its own projects.	ii) It shall appraise the projects.
iii) Preparation of DPRs	iii) It may prepare a DPR at a request.	iii) No Role	iii) No Role	iii) It shall prepare a DPR.	iii) It may prepare a DPR or work on a DPR prepared by the concerned Deptt.
iv) Technical Approvals of DPRs/BOQs	iv) No Role	iv) No Role.	iv) No Role	iv) It shall provide Technical Approvals.	iv) It may give technical approvals on its own or work on a DPR/BOQ already technically approved by the concerned Deptt.
v) Administrative approval of DPRs	v) No Role.	v) No Role.	v) It shall approve projects.	v) It shall approve projects..	v) It shall approve projects..
vi) Bids Invitation and Processing	vi) It may assist in bid invitation and processing	vi) No Role	vi) No Role	vi) It shall invite bids and process them.	vi) It shall invite bids and process them.
vii) Financial. Closure	vii) It may assist in identifying the Financiers.	vii) No Role	vii) No Role	vii) It shall arrange its finances either through raising loans from Market or grants from Govt.	vii) The concerned Department shall transfer the required funds.
viii) Cabinet /Departmental Approval	viii) No Role	viii) No Role	viii) Other Departments shall take the approval Of IDA before taking Cabinet/Ministers approval	viii) It shall take the approval of the cabinet only in terms of Regulation 4.1	viii) The concerned Department shall arrange these approvals.
ix) Fixation of User Charges	ix) It may advise suitable formula.	ix) It may advise suitable formula.	ix) It may fix user charges or approve the charges proposed by the Deptt.	ix) It may decide to levy a user charge and collect it by itself.	ix) It may decide to levy a user charge and/or may let the Deptt collect it.

Annexure C to Schedule 1
FINANCIAL POWERS AND ACQUISITION/DISPOSAL OF LAND, BUILDINGS ETC
(In terms of Sec 4.1 of the IDA (Financial and Service) Regulations, 2007)

S No	Type of Expenditure/ Approval	Proposed Limit	Tendering Process	Whether to go to PAC or not	Competent Authority to Sanction
A	All procurement of Goods as defined under Regulation 124 of Bihar Finance (Amendment) Rules, 2005.	i) Upto Rs 15000 (Fifteen Thousand)	i) Off the shelf(as per Rule no. 131 C of Bihar Finance (Amendment) Rules, 2005)	i) No	i) MD
		ii)Rs 15000- Upto Rs1,00,000 (One Lac)	ii) Market Survey by obtaining at least three quotations (as per Rule no. 131 D of Bihar Finance (Amendment) Rules, 2005)	ii) No	ii) MD
		iii) Rs 1 Lacs - Upto Rs 10,00,000 (Ten Lacs)	iii) Limited tender (as per Rule no. 131 I of Bihar Finance (Amendment) Rules, 2005).The MD may decide to additionally go for advertisement in local Newspaper depending upon the nature of purchase.	iii) No (Goes to the internal purchase committee)	iii) MD
		iv) Rs 10 lacs - Upto Rs 25,00,000 (Twenty Five Lacs)	iv) Limited tender (as per Rule no. 131 I of Bihar Finance (Amendment) Rules, 2005) The MD may decide to additionally go for advertisement in local Newspaper depending upon the nature of purchase.	iv) Yes	iv) MD
		v) More than Rs 25,00,000(Twenty Five Lacs) upto Rs 50,00,000(Fifty Lacs)	v) Advertisement in local & national daily, the Indian Trade Journal & website(as per Rule no. 131 H of Bihar Finance (Amendment) Rules, 2005)	v) Yes	v) MD
		vi) More than 50,00,000 (Fifty Lacs)	vi) Advertisement in local & national daily, the Indian Trade Journal & website (as per Rule no. 131 H of Bihar Finance (Amendment) Rules, 2005)	vi) Yes	vi) Authority. But Chairman may anticipate the Authority in case of urgency.

S No	Type of Expenditure/ Approval	Proposed Limit	Tendering Process	Whether to go to PAC or not	Competent Authority to Sanction
B	Identification of Projects to be taken up by the Authority/Deptt	i) Not required	i) Not required	i) No	i) Authority
C	Hiring of Consultants / Consultancy Firms / Independent Evaluators, both nationally and internationally, for preparing DPR as per the approved plan and evaluation of work being done.	i) For estimated cost of work/services upto Rs 25 Lakhs	i) As per Rule no. 131 Z(i) of Bihar Finance (Amendment) Rules, 2005)	i) Yes	i) MD
		ii) For estimated cost of work/services beyond Rs 25 lakhs	ii) Advertisement in local /National newspapers and Deptt website .(as per Rule no. 131 Z(ii) of Bihar Finance (Amendment) Rules, 2005). MD may also go for ICB.	ii) Yes	ii) Authority
D	Technical Approval/sanction of DPRs of Projects	i) DPRs for projects upto Rs 10 Cr	i) Not Required	i) No	i) Chief Manager(Tech) of Authority
		ii) DPRs for projects from Rs 10 Cr and beyond	ii) Not Required	ii) No	ii) Technical Committee of the Authority
E	Administrative approval of the DPRs of the projects.	i) Projects upto Rs 1 Crore ii) For projects up to Rs 20 Cr iii) For Projects beyond Rs 20 crores	i) Not Required ii) Not Required iii) Not Required	i) Yes ii) Yes iii) Yes	i) MD ii) Authority iii) Cabinet

F	Approval of BOQ of Projects for which AA is there.	i) Any Amount	i)Not Required	i)Yes	i)Technical Committee of the Authority
G	Finalising Tenders for works/Projects within the BOQ .	i)Any amount	i) Advertisement in local & national daily, the Indian Trade Journal & website (as per Rule no. 131 H of Bihar Finance (Amendment) Rules, 2005)	i) Yes	i) MD

S No	Type of Expenditure/ Approval	Proposed Limit	Tendering Process	Whether to go to PAC or not	Competent Authority to Sanction
H	i) Finalising Tenders for works/Projects above BOQ	i) Any Limit	i) Advertisement in local & national daily, the Indian Trade Journal & website (as per Rule no. 131 H of Bihar Finance (Amendment) Rules, 2005)	i) Yes	i) IDA
I	Auction of the Assets belonging to or Hypothecated to or confiscated by IDA	i) Upto Valuation of Rs 25 lakhs ii) Beyond Rs 25 lakhs	i) Advertisement in local & national daily the Indian Trade Journal & website (as per Rule no. 131 H of Bihar Finance (Amendment) Rules, 2005). The MD shall get the valuation done by any of the Valuers registered with the Income Tax Deptt. Note – In case the maximum bid offered is less than valuation, the MD shall retender and then finalise the bid with maximum bidder whatever be the offer. ii) Same as above.	i) Yes ii) Yes	i) MD. ii) IDA
J	Purchase /Acquisition of Land, Buildings and such immovable assets by Authority.	i) As per rates fixed by Revenue Department ii) At rates above than what is fixed	i) Advertisement in local & national daily, the Indian Trade Journal & website (as per Rule no. 131 H of Bihar Finance (Amendment) Rules, 2005). IDA shall follow guidelines for purchase of land to be issued separately. ii) Advertisement in local & national daily, the Indian Trade Journal &	i) Yes ii) Yes	i) IDA ii) Cabinet

		by Revenue Deptt	website (as per Rule no. 131 H of Bihar Finance (Amendment) Rules, 2005). <i>IDA shall follow guidelines for purchase of land, building and such assets to be issued separately.</i>		
K	Sale, Allotment, Mortgage and Disposal of Land, Buildings and such immovable assets acquired or purchased by or transferred to Authority.	i) At rates to be fixed by Authority.	i) Advertisement in local & national daily, the Indian Trade Journal & website (as per Rule no. 131 H of Bihar Finance (Amendment) Rules, 2005). <i>IDA shall follow guidelines for disposal of land, building and such assets to be issued separately.</i>	i) Yes	i) IDA
L	Hiring of contractual staff, including sanction of compensation package	i) For Staff of Category A	i)Advertisement in local & national daily, the Indian Trade Journal & website(as per Rule no. 131 H of Bihar Finance (Amendment) Rules, 2005)	i)No	i) IDA
		ii) For Staff of Category B and C	ii) Advertisement in Local Newspapers.	ii) No	ii) Full powers to Selection Committee .

S No	Type of Expenditure/ Approval	Proposed Limit	Tendering Process	Whether to go to PAC or not	Competent Authority to Sanction
M	All related activities in pursuance of plan approved by Authority, such as ,Preparation of DPRs, ,Project Appraisal, Advertisement charges, Advance to contractors, Repayment of earnest money/security deposit, Freight charges, demurrage, Furniture & fixtures(within Budget limit),stationery, conveyance, electricity & water charges, Insurance, legal charges, postage, telephone, Fax, Repair and maintenance of	i) Of all kinds	i) Advertisement in local /National newspapers as the MD may decide and depending upon the nature of expenditure.	i)No	i) Full powers to MD.

	equipment,Hiring of taxis, Auditors, all trainings, payment of TA/ DA / Honoraria to resource persons, TA/DA to Authority staff, payment related to documentation etc.				
N	Release of funds for implementation of projects approved by Authority	i) Of all kinds	i) Not required.	i) No	i) Full Powers to MD

Schedule II

Technical Regulations of the Infrastructure Development Authority, Bihar, 2007

1. Short Title and Commencement:

These Regulations may be called Infrastructure Development Authority, Bihar Technical REGULATIONS 2007. It shall come into force from the date of publication of the Government Resolution in the official Gazette.

2. Application:

These Regulations shall apply to every employee of IDA including those on deputation and also on contract basis to the extent that they are not in contravention of the terms and conditions of their deputation/ contract to IDA.

3. Definition:

In these Regulations, unless context otherwise implies:

3.1 Act means the Bihar State Infrastructure Development Enabling Act, 2006.

3.2 Appointing Authority in relation to any post under the IDA means the authority competent to make appointments to those posts under these Regulations.

3.3 Bank Means a scheduled nationalized bank in which the funds of the IDA may be kept in Savings/ fixed deposit account.

3.4 Controlling authority in relation to all the posts in category A, B and C shall be the MD.

3.5 Consultants on Retainer ship means such Consultants/Consultancy Firms as the Authority may hire on fee basis

3.6 Code means the PWD Code of the Govt. of Bihar.

3.7 Employee means any person serving the IDA on any post with regular emoluments, it includes those on deputation and also on contract basis.

3.8 Government means Government of Bihar.

3.9 Regulations means Regulations of the IDA and as modified from time to time in accordance with the procedure laid in this regard.

3.10. Schedule of Rates means the rates as approved by the IDA.

4. Schedule of Rates (SOR)

The rates/procedures followed by the PWD/CPWD/NHAI shall be followed. The IDA may make or revise its own SOR.

5. Bidding System

The Authority shall follow the two bid system - Technical and Financial, as mentioned in Regulation 131J of the Bihar Finance (Amendment) Regulations ,2005

6. Tenders

The Authority may go for a local or national tender. It may also go in for International Competitive Bidding (ICB) depending upon the nature of work.

6.1 Tender Dates

Normally, the Authority shall give 3 weeks time for inviting tenders worth Rs 50 Lakhs and above. For tenders worth below Rs 50 lakhs, 2 weeks time may be given.

6.2 Single Tenders

Single tenders may be accepted if there is adequate publicity.

7. Empanelment of Contractors

The Authority may evolve its own norms for empanelment/enlisting of contractors/ construction firms. It may take guidance from the enlistment norms adopted by the RCD. It may exempt agencies/contractors empanelled with RCD/CPWD/GoI/NHAI/GoI PSUs and other State Governments and their PSUs from separate registration requirements provided that after the work is allotted to the said agency/contractor shall have to be get registered with the Authority.

8. Standard Bidding Document

The Authority may make its own standard bidding document or may adopt any other document in practice with any State Govt/GoI/ Government Organisation.

9. Model Concession Agreement

The Authority may adopt the Model Concession Agreement (MCA) of the Planning Commission or adopt its own MCA for particular projects. This MCA shall form only the basis of negotiations with the agencies, the Authority may deviate from the Model on an individual basis depending upon the merits of each case

10. Plants and Machinery

For completion of its projects and/or to help enhance the capacity of its contractors/ Engineers, the IDA may purchase/hire plants and machinery, including maintaining Equipment Banks, for onward lending to the work agents for a price.

11. Security

The Authority shall take from all Consultants/Consultancy Firms/Contractors etc a Bank Guarantee of an appropriate amount from a nationalised Bank. The Bank Guarantee may be from a branch outside the State.

12. Consultants on Retainer ship

The Authority may hire national or international Consultants/Consultancy firms on a retainer ship basis against an annual/work based fee for assisting itself on planning , design , implementation and such other issue as the Authority may deem fit. The Authority may require these Consultants/Consultancy firms to be stationed in house.
