

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI
COUNCIL'S MEETING NO. 05/2007-08 DATED 18.07.2007.

ARRANGEMENT OF BUSINESS

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ITEM NO. 01 (C-16)

Confirmation and signing of the minutes of the Council's Meeting No. 04/2007-08 dated 20.06.2007 **(See pages 4 - 9)**.

COUNCIL'S DECISION

Minutes confirmed.

**NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI**

**DRAFT MINUTES OF THE COUNCIL'S MEETING NO. 04/2007-08
HELD ON 20.06.2007 AT 3-30 PM.**

MEETING NO.	:	04/2007-08
DATED	:	20.06.2007
TIME	:	3.30 P.M.
PLACE	:	PALIKA KENDRA, NEW DELHI.

PRESENT:

- | | | | |
|----|------------------------|----------|---------------------|
| 1. | Sh. Parimal Rai | : | Chairperson |
| 2. | Smt. Tajdar Babar | : | Vice Chairperson |
| 3. | Sh. R.K. Sinha | : | Member |
| 4. | Sh. Mukesh Bhatt | : | Member |
| 5. | Ms. Sima Gulati | : | Member |
| 7. | Sh. Keshav Chandra | : | Secretary, N.D.M.C. |

The Chairperson, NDMC administered the oath of office to the new member of the Council, Sh. R.K. Sinha, Land & Development Officer, Ministry of Urban Development, Govt. of India on 20th June, 2007.

I. Business as per regulation 14 (1) of Procedure and Conduct of Business Regulations, 1997.

Confirmation and signing at such meeting by the presiding officer thereof of the minutes of the last ordinary meeting or meetings or and of the minutes of any special meeting since the last ordinary meeting.

Confirmation and signing of the minutes of the Council's Meeting No. 02/2007-08 dated 16.05.2007 and Council's Special Meeting No.03/2007-08 dated 31.05.2007.

The above minutes were confirmed in the Council's Meeting No.04/2007-08 held on 20.06.2007.

b) **Questions:-**

No question.

c) **Business from the Chairperson**

ITEM NO.	SUBJECT	DECISION
1(C-9)	Confirmation and signing of the minutes of the Council's Meeting No. 02/2007-08 dated 16.05.2007,	Minutes Confirmed.
2 (C-10)	Confirmation and signing of the minutes of the Council's Special Meeting No.03/2007-08 dated 31.05.2007.	<p>Minutes Confirmed and the decision on agenda item no. 4 (K-1) may be read as follows:</p> <p>lkff"kn~ }kjk lkkfjr fd;k x;k fd vè;k] ubZ fnYyh uxjikfydk lkff"kn~ dh Lohd'fr ls lkff"kn~ esa dk;Zjr@lsok&fuo`Rr deZpkfj;ksa ,oa muds vkfjrkksa dks futh vLirkyksa ls fpdfRlk lqfo/k dk ykHk fnukad 1-6-2007 ls 31-5-2008 rd lkzklr djus ds fy;s dk;kZsÙkj Lohd'fr lkzku dh tkrh gS rFkk fuEu fyf[kr dk vuqeksnu fd;k tkrk gS %&</p> <p>(1) dsUnzh; LokLF; lsok ;kstuk ds vUrxZr fu/kZfjr ewY;ksa lkj ân; laca/h jksxksa dk ,oa tksM+ksa dk lkzR;kjksi.k eSDl gSYFkds;j ls lacaf/r nsodh nsok vLirky] lkdsr] Uks,Mk] lkhreiqjk ,oa lkViM+xat vLirkyksa esa mipkj dh lqfo/k lkzklr djuk A</p> <p>(2) dsUnzh; LokLF; lsok ;kstuk ds vUrxZr uoEj&2006 ls lkwoZ fu/kZfjr ewY;ksa lkj lkSFkkykth] jsfM;ksykth ds mipkj dh lqfo/k lkzklr djuk A (eSDl gSYFk ds;j uks,Mk] lkViM+xat ,oa lkhreiqjk)</p>

		<p>(3) dsUnzh; LokLF; lsok ;kstuk ds vUrxZr uoEcj]2006 ls lkwoZ +++\$5» nj ds vk/kj lkj eSfMdy ,oa lftZdy dh mipkj lqfo/k uks,Mk] lkViM+xat ,oa lkhreiqjk esa fLFkr eSDI gSYFkds;j ds vLirkyksa ls lkzklr djuk rFkk dsUnzh; LokLF; lsok ;kstuk ds vUrxZr tks chekfj;kWa lwph¼ ugha gS mu chekfj;ksa esa mijksDr vLirkyksa dks vLirkyksa dh njksa esa 35 lkzfr'kr dh dVksrh dj mipkj dh lqfo/k lkzklr djuk ,oa lkwoZ esa fd;s x;s mipkj lkj blh vk/kj lkj yfEcr ekeyksa ds fcyksa dk Hkqxrku djuk A</p> <p>(4) eSDI laj&Lif;fyVht vLirky] lkdsr ,oa vkbZ-,M MsUVy ds;j vLirky] lkap'khy ekxZ] ubZ fnYyh esa vLirky }kjk fu/kZfjr ewY; lwph esa 35 lkzfr'kr dh NwV lkzklr dj mipkj dh lqfo/k lkzklr djuk A ;g lqfo/k dsoy vkikrdkyhu lkjffLFkfr;ksa esa gh miyC/ gksxh rFkk dksbZ Hkh dkLeSfVd mipkj lqfo/k miyC/ ugha djkbZ tk;sxh A</p> <p>(5) mijksDr ds vuqlkj fo'ks"k n{krk lkzklr vLirkyksa ls Hkh lqfo/k lkzklr dh tk;s A</p>
3 (A-12)	Sub: Improvement to Palika Kendra. SH : Improvement & renovation work on 3 rd , 2 nd , Ist & Mezzanine & Ground Floor.	Resolved by the Council that administrative approval & expenditure sanction to the Preliminary Estimate amounting to Rs. 4,62,14,600/- is accorded subject to condition that all measures regarding fire safety, have been incorporated.
4 (A-13)	Rehabilitation of old sewers in NDMC area. SH: Desilting and Rehabilitation of part of trunk sewer at Khushak Nallah near Brig. Hoshiar Singh Road.	Resolved by the Council that the lowest offer of M/s. Subhash Projects & Marketing Ltd. at a tendered amount of Rs. 1,03,16,817/- i.e. 7.24% below the estimated cost put to tender of Rs. 1,11,22,000/- is accepted. It was also decided to award the work in

		anticipation of the confirmation of the minutes.
5 (A-14)	S/R of roads in NDMC area during 2006-07. SH:- Providing and laying Mastic asphaltic wearing course at Kaka Nagar Colony service Roads.	Resolved by the Council that ex post facto approval is accorded for acceptance of lowest offer of M/s Wilco Engineers @ 15.53% above the estimated cost of Rs.62,41,799, the tender amount works out to Rs.72,11,390/- for the work "S/R of Roads in NDMC area", SH: Providing and laying Mastic asphaltic wearing course at Kaka Nagar Colony service roads.
6 (O-1)	Audit Comments on Monthly Accounts for the period April 2006 to June 2006.	Information noted.
7 (O-2)	Report of the Standing Committee on Audit in NDMC.	Information noted.
8 (C-11)	The New Delhi Municipal Council (Amendment) Bill 2004.	Information noted.
9 (C-12)	Action Taken Report on the status of ongoing schemes/works approved by the Council.	Information noted.
10(C-13)	Contracts/Schemes involving an expenditure of Rs. 1 Lac but not exceeding Rs. 50 Lacs.	Information noted.
11(C-14)	A Resolution was moved by Smt. Tajdar Babar, Vice Chairperson, Ms. Sima Gulati, and Sh. Mukesh Bhatt, Members, regarding transfer the maintenance and upkeep of Rajpath Lawns to NDMC and also to urge the Central Govt. to provide financial assistance to NDMC.	This item was not discussed.
12 (C-15)	Confirmation and signing of Minutes of Council Meeting dated 14.6.2007 held through circulation of agenda.	Minutes confirmed.
13 (A-15)	Construction of QCC lab, water supply service centre and type IV flats at Jor Bagh, New Delhi. (Revised Preliminary Estimate)	Resolved by the Council that Revised Administrative Approval and Expenditure Sanction amounting to Rs. 1,68,64,914/- is accorded.
14 (B-8)	Establishing 33 KV Indoor S/S at the place of old 33 KV S/S Connaught Place & augmentation of its transformer capacity. SH:Revalidation of sanction to the above estimate.	Resolved by the Council that administrative approval and expenditure sanction to the estimate amounting to Rs Rs.495.13 lacs (Gross) and Rs. 494.29 lacs(Net) for establishing 33KV Indoor S/S at the place of old 33KV S/S Connaught Place & augmentation of its transformer capacity is revalidated. Further resolved by the Council that the project be completed within the time frame mentioned in the

		proposal.
15 (B-9)	Purchase of 7,750Mts. of LT(XLPE) Cable of Size 400 Sqmm/3.5 Core, duly ISI marked.	Resolved by the Council that the Supply Order be awarded to " M/s Capcab India Ltd." amounting to Rs. 68,01,396.00 (inclusive of all taxes and duties) for purchase of 7,750 meters of LT(XLPE) cable of size 400 mm.sq./3.5 core, duly ISI marked in anticipation of confirmation of the minutes. Further resolved by the Council that sufficient stock as laid down under manuals be also preserved for future replacements.
16 (B-10)	Purchase of 100 nos.11000Volts,350MVA, Single Bus Bar V.C.B./SF-6 Type Indoor Switchgear Panels (Tender No. 09/EE(S-II)/2005-06)	Resolved by the Council to place Supply Order on "M/s AREVA T&D Ltd." at their quoted amount of Rs.3,53,92,114-00, Inclusive of all taxes and duties, for the purchase of 100 no.s. 11000Volts, 350MVA, Single Bus Bar, V.C.B Type, Indoor Switchgear Panels, in anticipation of confirmation of the minutes.
17 (A-16)	Development of various Markets in NDMC area. SH: Façade Improvement for Janpath Road Berm Mark (between Outer Circle and Tolstoy Marg)- Tenders thereof.	Resolved by Council that the action taken by C.E. (C-II) to reject the absurd tender in the first call is approved. Further resolved by the Council that the lowest tender of M/s Dashmesh Arts (I) Ltd. at their quoted rates and tendered amount of Rs.1,03,42,232/- be accepted and revised administrative approval and expenditure sanction of Rs.1,03,42,232/- is accorded which is 3.7325% above the estimated cost put to tender.
18 (F-1)	Examination of the case of exemption from payment of property tax under section 124 of NDMC Act in respect of Indian Pentecostal Church of God, Northern Region, 14, Bhai Vir Singh Marg, New Delhi.	Resolved that the - claim for exemption from the payment of property tax under Section 124 of NDMC Act in respect of Indian Pentecostal Church of God, Northern Region, is rejected.
19 (G-3)	Outstanding dues of Delhi Jal Board towards share cost of filtered_water and share cost of sewerage disposal and payment thereof to DJB.	Resolved by the Council that Ex-post facto approval to the action taken by the Chairman, NDMC, for making on account payment of Rs 25.51 crores to Delhi Jal Board, subject to settlement of disputes later on, is accorded. It is also decided by the Council to request Govt of NCT, Delhi to bring an early resolution to the long pending disputes with Delhi Jal Board.

		Further Resolved by the Council that additional funds of Rs 20 crores under the Head of Account D.2.17.12. – Payment to DJB for sewerage disposal and Rs 6 crores under the HOA F.4. – Cost of Water, are allocated in anticipation of approval of Revised Budget Estimates, 2007-08.
20 (S-1)	Report of Vigilance Deptt. in respect of Council's Resolution No.3 (B-3) dated 16.05.2007.	Information noted, case is closed.
21 (K-1)	Vacation of premises beyond the time available in Resolution No.3(xi) dated 7.12.2000.	Information noted.
22 (B-11)	Estimate for up gradation of existing 33KV ESS to 66KV ESS at Bapu Dham, Chanakaya Puri, N. Delhi. SH: Revalidation of sanction to the above estimate.	Resolved by the Council that administrative approval and expenditure sanction to the estimate amounting to Rs. 18,98,43,027/- for upgradation of existing 33KV ESS to 66KV S/S at Bapu Dham, Chanakaya Puri, New Delhi is revalidated.

d) Reports of the Committee: Nil.

e) Notice of resolutions given by the members under the provision to Section 23 of NDMC Act, 1994,

A Resolution was moved by Smt. Tajdar Babar, Vice Chairperson, Ms. Sima Gulati, and Sh. Mukesh Bhatt, Members, regarding transfer the maintenance and upkeep of Rajpath Lawns to NDMC and also to urge the Central Govt. to provide financial assistance to NDMC.

This item was not discussed.

Sd/-
(KESHAV CHANDRA)
SECRETARY

Sd/-
(PARIMAL RAI)
CHAIRPERSON

ITEM NO. 02 (C-17)

Confirmation and signing of the minutes of the meeting of the Committee constituted u/s 9 of NDMC Act for advising the Council on Regulations and Bye Laws, dated 20.06.2007 **(See pages 11)**.

COUNCIL'S DECISION

Minutes confirmed.

**NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI**

**MINUTES OF THE MEETING OF COMMITTEE CONSTITUTED UNDER SECTION 9
OF THE NDMC ACT FOR ADVISING THE COUNCIL ON REGULATIONS AND BYE-
LAWS HELD ON 20.06.2007 AT 4.00 PM IN THE COUNCIL ROOM.**

PRESENT:

- | | | | |
|----|--------------------|---|----------------------|
| 1. | Sh. Parimal Rai | - | Chairperson |
| 2. | Smt. Tajdar Babar | - | MLA/Vice-Chairperson |
| 3. | Smt. Sima Gulati | - | Member |
| 4. | Shri Mukesh Bhatt | - | Member |
| 5. | Sh. Keshav Chandra | - | Secretary |

Item No.	Subject	Decision
1.	The New Delhi Municipal Council (Sanitation and Public Health) Bye Laws, 2007.	The Committee approved the draft bye-laws and recommended the same to be placed before the Council for final approval.
2.	The New Delhi Municipal Council (Execution of Contracts) Bye-laws, 2007.	The Committee approved the draft bye-laws and recommended the same to be placed before the Council for final approval.
3.	The New Delhi Municipal Council (Drainage) Bye-laws 2007	The Committee approved the draft bye-laws and recommended the same to be placed before the Council for final approval.

Sd/-
**(KESHAV CHANDRA)
SECRETARY**

Sd/-
**(PARIMAL RAI)
CHAIRPERSON**

ITEM NO. 03 (A-17)**1. Name of Work:**

Rules for Enlistment of contractors in N.D.M.C., 2007.

2. Name of the Department:

Civil Engineering Department

3. History of the Subject/Project:

A. The registration and enlistment of the contractors in NDMC had been started earlier than 1983. The first revision of the Rules governing the enlistment of contractors in Civil Engineering Department, was approved vide Resolution No. 22 dated 13.12.83 (flag 'A'), to the effect that, "2. Enlistment of contractors falling in all classes will be done by Chief Engineer, on the recommendation of an adhoc Committee nominated by CE (C)." This practice was continued without interruption till June 1999. It appears from the records available that adhoc committee, nominated by the Chief Engineer himself could not function and postponed the decision on the pending renewal cases for the registration of contractors in various meetings. Later on, due to rising complaints from the contractors, a meeting was held on 21.12.99 in the chamber of CVO to remove the grievances of the contractors, where in it was decided that CE(C)-I should finalize the cases immediately at his own level. Since then CE(C)-I had become the competent authority to register/renew the registration of contractors on the recommendations of Sr. A.O.(Works)-I, instead of recommendations by sub-committee, as being non-functional.

B. The second revision in the Rules was approved vide Resolution No. 4 dated 13.11.1995 by enhancing the tendering limits and revising eligibility criteria. The third revision was ordered vide Circular No. A-1/D/34/A.O.(W)-I dated 12.1.98 by introducing a new category of contractors " Class-VA" and the amounts of "Working Capital Certificate" were also revised. Details of both the revisions are as under :

S.No.	Class/ Category	Tendering limits as revised	Value of each completed work (Minimum) during the last 5 years.	Minimum limit of solvency certificates/working capital.
BUILDING & ROADS				
1.	Class 1(A)	Unlimited	3 works each costing Rs. 2 crores or more or two works of aggregate cost not less than Rs. 6 crores during the last 5 years.	Rs. 3 crores Following inserted vide circular dt. 2.11.1998 : "Direct entry in these class, is not permitted under class II rules."
2.	Class I	Upto Rs. 5 crores	Rs. 60 lakhs (3 works of Rs. 60 lakhs each)	Rs. 2 cores Following inserted vide circular dt. 2.11.1998 : "Direct entry in these class, is not permitted under class II rules."
3.	Class II	Upto Rs. 1 crore	Rs.25 lakhs (3 woks of Rs. 25 lakhs each)	Rs. 60 lakhs Revised vide circular dt. 2.11.1998 : "Rs. 10 lakhs (minimum working capital)"
4.	Class III	Upto Rs. 40 lakhs	Rs. 10 lakhs (3 works of Rs. 10 lakhs each)	Rs. 25 lakhs Revised vide circular dt. 2.11.1998 : "Rs. 4 lakhs (minimum working capital)"
5.	Class IV	Upto Rs. 15 lakhs	Rs. 3 lakhs (3 woks of Rs. 3 lakhs each)	Rs. 10 lakhs Revised vide circular dt. 2.11.1998 : "Rs. 1.5 lakhs (minimum working capital)"

6.	Class V	Upto Rs. 5 lakhs	Rs. 1 lac (3 works of Rs. 1 lac each (inserted vide Circular dt. 12.1.98 – Flag-'B-1')	Rs. 50,000/- (working capital)
7.	Class V(A)	Upto Rs. 2 lakhs	Nil (inserted vide circular dated 12.1.98 – Flag-'B-1)	Rs.50,000/- (Working capital)
FURNITURE				
8.	Class I	Unlimited	Rs. 5 lakhs (3 works of Rs. 5 lakhs each)	Rs. 25 lakhs
9.	Class II	Upto Rs. 10 lakhs	Rs. 3 lakhs (3 works of Rs. 3 lakhs each)	Rs. 8 lakhs
10.	Class III	Upto Rs. 5 lakhs	Rs. 1 lakh (3 works of Rs. 1 lakh each)	Rs. 4 lakhs
11.	Class IV	Upto Rs. 1 lakh	Nil	Rs.50,000/- (Working capital)

C. Present status

The practice of registration of contractors/renewal of registration by CE(C)-I himself was continued upto December 2005 till the retirement of Sh. Y.K.Malhotra, the then CE (C)-I. Thereafter, no full-fledged CE(C)-I was posted and therefore the work of registration/renewal was discontinued and still as it is.

D. Pursuant to the efforts to streamline the procedure for enlistment/registration & revalidation of enlistment/registration of contractors, a meeting was held in the chamber of E-in-C on 31.5.06 and the recommendations were submitted to Chairperson for her kind consideration (refer page 1-2/N). Chairperson, vide her note dated 3.6.2006 (page 2-3/N) directed to put up a Draft paper incorporating the following five suggestions:

- 1) If practice discontinued, was Council informed ?
- 2) Periodicity of empanelment- does it hit budget process cycle?
- 3) System of evaluation of work done for NDMC/outside NDMC.
- 4) A/R & M/O works should be specially focused upon. At present the contractors used by Roads & Buildings have reduced substandard work without fail.
- 5) Comprehensively review payment procedures practices in NDMC.

E. The draft proposal containing the aforesaid suggestions has also been examined by Finance Deptt. and their after by Law Deptt. and tendered their advice.

F. The matter was again examined in detail after incorporating their suggestions and wherever required, explanations/clarifications were offered.

4. Detailed proposal on the subject/project :

a) The proposed Rules have been based on the Rules prevailing for registration/revalidation of contractors in CPWD.

b) Efforts have been made to define, refine and making the process of Registration/Enlistment/Revalidation thereof more transparent and easy and not only this, authorities have been made more responsible to avoid the undue delay caused in Registration/Revalidation of the Contractors.

c) Necessary terms have been defined clearly and the working areas of the concerned Officers have also been stipulated in detail.

d) Enlistment procedure has been defined in Clause-6. Revised fee structure for registration is as under:

Class	Existing fee	Revised fee
I	Rs.750/-	Rs.5000/-
II	Rs.675/-	Rs.3500/-
III	Rs.450/-	Rs.2500/-
IV	Rs.300/-	Rs.2000/-
V	Rs.225/-	Rs.1000/-
VA	Rs.225/-	Rs.500/-

e) Revised fees structure for Revalidation is as under:

Class	Existing fee	Revised fee
I	Rs.450/-	Rs.2500/-
II	Rs.450/-	Rs.2000/-
III	Rs.225/-	Rs.1500/-
IV	Rs.90/-	Rs.1000/-
V	Rs.90/-	Rs.500/-
VA	Rs.90/-	Rs.250/-

Further, provision for receipt of application for revalidation with late fee and penal fee have also been provided but application for revalidation shall not be entertained after 90 days from the date of expiry of registration.

f) Process of verification of documents submitted by the contractors in support of execution of works has also been defined very clearly.

g) Engineer-in-Chief shall be the competent authority for all the categories/classes of the contractors. A Committee consisting of Chief Engineer, Sr. AO(Works) headed by Engineer-in-Chief shall consider the scrutiny report submitted by Sr.AO(Works)-I who

shall also be a coordinating authority in convening meetings, compiling datas and scrutiny of various requests, submission of contractors filed from time to time. Committee shall have the powers to get the physical inspection of the works conducted through SE(Planning)/EE(Planning).

h) Tendering limits have also been revised for various categories as under keeping in view the hike in various cost indices :

Class	Existing limits	Revised limits
IA	Unlimited	Unlimited
I	Rs. 5 Crore	Rs. 10 Crore
II	Rs. 1 Crore	Rs. 2 Crore
III	Rs.40 Lacs	Rs.60 Lacs
IV	Rs.15 Lacs	Rs.25 Lacs
V	Rs.5 Lacs	Rs.7 Lacs
VA	Rs.2 Lacs	Rs.3 Lacs

i) The criteria to adjudge financial soundness have also been defined in Table-1 (flag pink) alongwith the required T&P/machinery and past experience as well as the technical establishments.

j) Provision for ACRs of contractors to be prepared by them and to be verified by the concerned EE/SE etc. have also been made in Clause-18. To make contractors more responsible and the Engineers accountable as the CRs shall be scrutinized by the E-in-C.

k) Chapter for "Disciplinary actions" have also been included in Clause-20 defining penal actions for the misconducts, misbehaviours and non-completion/defective completion of work.

5. Financial implications of the proposed project/subject:

The revised fee structure shall generate more revenue.

6. Implementation schedule with lines for each stage including processing

The Rules shall be placed before Council for confirmation in the next meeting of the Council and thereafter, these shall be in force.

7. Comments of the Finance Department on the subject:

After taking into consideration the clarifications afforded by the department in its note dated 09.03.07 at pages 28-30/N to the points listed in the note dated 13.02.07 of FA at page-21-25/N we have no further comments to offer except the following:

1. Para 6.6 : Verification of work executed/claimed as executed by the applicants should be got done by EE(QCC) in place of SE/EE(Planning).
2. Para 15: Revalidation of enlistment should be having regard to limits specified in CPWD (Appendix 34 read with Para 34.1 of CPWD Works Manual).
3. Regarding remarks of the Chairperson at page-2/N (quality of work at site), it appears that FD's suggestion as contained at "X" on P. 24-25/N has not been appreciated properly. It is felt that the need of

imparting training to the field executives and grant of incentives to dedicated officers as proposed is not the answer to the apprehensions of the Chairperson. To ensure quality of work at site, to our mind, first step should be that the agreement with the agency concerned must contain provisions for all checks/tests as are considered mandatory for ensuring work of specified standard at site. In case all these provisions exist, as we understand these are there, are these provisions being acted upon at site during execution by the Engineer-in-Charge? If not, why not and where are the lapses? These are all such questions, which need deep study. For this input should be got prepared by E-ion-C for his specific comments/recommendation for consideration of the authorities.

4. Regarding "X" on P. 30/N, the same may be referred to LA as the department's response is in the light of his comments at page-25/N. FA cannot be Appellate Authority, as his role is advisory in nature.

8. Comments of the Department on comments of Finance Department.

Sl. No.1: needs discussion. Since QCC above cannot do this work alone. It has to be a Committee with different composition for different categories/types of works.

Sl. No. 2: O.K.

Sl. No.3: Though related to contractors, but not relevant to registration procedures. In general, the suggestion on this from F.D. is in order. This issue needs to be de-linked from registration procedure.

Sl No.4: Alternatively, a Committee can be constituted for Appellate Authority.

9. Legal implication of the subject/project:

There is no legal implications as these are going to replace existing administrative instructions, already in force at present.

10. Details of previous Council's Resolution existing Law of Parliament and Assembly on the subject:

Resolution No. 22 dated 13.12.83 and Resolution no. 4 dated 13.11.95

11. Comments of the Law Department on the subject/project:

1. Under the NDMC Act, power to frame the Rules are with Central Government. It is not clear from the draft, the provision under which the Rules are being framed. Pl. incorporate in the draft, the provision under which the Rules are being framed.

2. Chairperson has to act as per provision of NDMC Act. The NDMC Act does not permit Chairperson to be an Appellate Authority for enlistment of contractors.

12. Comments on the comments of Law Department:

It is to mention that these are administrative rules and it is suggested that these may be called as "The instructions for Enlistment of Contractors, 2007" to avoid any possibility of challenge from any quarter. It is further mentioned that there is no bar for Chairperson to act as Appellate Authority in matter of Enlistment of contractors for the reasons that the stage of entering into contract in the name of Chairperson,

NDMC arrives only an individual is enlisted as contractor and then he enters into the fray of tendering and on succeeding work, is awarded to him.

13. Recommendations:

The "Rules for Enlistment of Contractors in NDMC 2007" (See pages 19 – 54) is laid before the Council for approval.

COUNCIL'S DECISION

The Council approved the proposal of the department with the observation that the word 'Rules' be substituted with the word 'Conditions'.

Further resolved by the Council that the quality of work of listed contractors be monitored closely.

ANNEXURE 36 PAGES

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ANNEXURE END

ITEM NO.04 (H-1)**1. NAME OF THE SUBJECT:**

Regulations relating to the qualifications of candidates and manner of selection for appointments to posts referred to in Section 43(1)(c) of the N.D.M.C. Act, 1994; (in common parlance called "Recruitment Regulations"). (Architect Deptt.)

2. NAME OF THE DEPARTMENT

Personnel Department.

3. BRIEF HISTORY OF THE SUBJECT:

(I) Section 43(1)(c) of the N.D.M.C. Act, 1994 provides that the Council may make regulations in respect of the qualifications of candidates for appointment to the post of Secretary and Chief Auditor of the Council and of category "A" and category "B" posts included in the Schedule referred to in Section 34(1) of the Act, and the manner of selection for appointment to such posts. (These common parlance are called "Recruitment Regulations").

(II) Section 43(2) of the said Act further provides that no regulations referred to above shall be made except after consultation with the UPSC.

(III) Section 387(2) of the said Act stipulates that no regulations made by the Council shall have effect until it has been approved by the Central Government and published in the Official Gazette.

The framing/amendment of recruitment rules of Group 'A' & 'B' post in respect of Architect & Environs Deptt., NDMC is under consideration with the consultation of UPSC in pursuance of provisions of NDMC Act. In the absence of approved RRs the vacancies occurred in Architect Deptt. have not been filled as the RRs in respect of Group 'A' & 'B' posts are yet to be approved by the UPSC and notified in the gazette.

The Present Hierarchical Structure of Architect & Environs Deptt.,
NDMC is as under:-

Sr.No.	Name of the Post	Group	Pay Scale	No. of Post
1.	Chief Architect	A	Rs.16400-20000	1
2.	Dy. Chief Architect	A	Rs.12000-16500	2
3.	Architect	A	Rs.10000-15200	7

4.	Dy. Architect	A	Rs.8000-13500	4
5.	Asstt. Architect	B	Rs.6500-10500	13
6.	Architectural Asstt.	B	Rs. 5500-9000	12

It was observed that present hierarchical structure of Deptt. of Architect & Environs NDMC needs to be re-organized & rationalized for framing recruitment rules for the group 'A' & 'B' posts of Architect Deptt. After examining the organizational set up of Architecture and Environs Deptt. of CPWD and MCD and with the prior approval of Chairperson, NDMC the existing hierarchical structure of Architect Deptt. has been reorganized as under:-

S.No.	Name of the Post	Pay Scale (Under Vth CPC)	No. of Post
1.	Chief Architect	Rs.16400-20000	1
2.	Addl. Chief Architect	Rs.14000-18300	2
3.	Sr. Architect	Rs.12000-16500	3
4.	Architect	Rs.10000-15200	4
5.	Dy. Architect	Rs.8000-13500	4
6.	Asstt. Architect	Rs.6500-10500	13
7.	Architectural Asstt.	Rs. 5500-9000	12

The basic change in the existing hierarchical structure is proposed up-gradation of two post of Dy. Chief Architect to that of Addl. Chief Architect in the pay scale of Rs.14000-18300 and up-grading three post of Architect from the cadre strength of seven Architects to that of Sr. Architect in the pay scale of Rs.12000-16500. The rest of the structure of Architect Deptt. remains same.

The Comparative Statement showing the method of recruitment/promotion is as under: -

S.No.	Name of the Post	Existing Method	Proposed Method
1.	Chief Architect	By promotion failing which by deputation	By promotion failing which by deputation.
2.	Addl. Chief Architect	No RR is available as two posts of Dy. Architect upgraded as Addl. C.A.	100% by promotion failing which by deputation.
3.	Sr. Architect	No RR is available as three posts of Architect upgraded as Sr. Architect	100% by promotion. Selection on the basis of seniority & suitability.

4.	Architect	By Promotion failing which by deputation failing both by direct recruitment	By promotion failing which by deputation and failing both by direct recruitment
5.	Dy. Architect	100% by promotion	By promotion failing which by deputation and failing both by direct recruitment.
6.	Asstt. Architect	50% by promotion failing which by direct recruitment, 50% direct recruitment failing which by promotion	50% direct and 50% by promotion
7.	Architectural Asstt.	50% by promotion failing which by direct recruitment, 50% direct recruitment failing which by promotion	50% direct and 50% by promotion

4. DETAILED PROPOSAL ON THE SUBJECT:

- (i) With a view to expedite finalization of the Recruitment Regulations, it has been proposed to obtain approval of the Council to the above recruitment rules for the Group 'A' & 'B' posts of Architect & Environment Department.

5. FINANCIAL IMPLICATIONS OF THE PROPOSED SUBJECT:

There are no additional financial implications except those already provided in the Budget Estimate of the N.D.M.C.

6. IMPLEMENTATION SCHEDULE WITH TIMELINESS FOR EACH STAGE INCLUDING INTERNAL PROCESSING.

After the approval of the Regulations by the Council, the same shall be sent to UPSC for the approval of the same. Upon receipt of the approval from the UPSC, the same shall be placed again before the Council for seeking approval of the Central Govt. and notification.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT:

No additional financial implications are involved.

8. COMMENTS OF THE DEPARTMENT ON COMMENTS OF FINANCE DEPARTMENT.

Not Applicable.

9. LEGAL IMPLICATION OF THE SUBJECT:

There are no legal implications.

10. DETAILS OF PREVIOUS COUNCIL RESOLUTIONS, EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THE SUBJECT:

As indicated against item Nos. 3 and 4 above.

11. COMMENTS OF THE LAW DEPARTMENT ON THE SUBJECT:

Law Deptt. has suggested to include appointment on contract basis in case direct recruitment & person on deputation are not available.

12. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF THE LAW DEPARTMENT.

The suggestion has been included for the post of Asstt. Architect in the pay scale of Rs. 6500-10500.

13. RECOMMENDATION:

It is recommended that the Council may approve the amendments in the draft Recruitment Regulations for the Group 'A' & 'B' post of Architect Department.

14. DRAFT RESOLUTION:

Resolved by the Council that the Recruitment Regulations for the post of Chief Architect, Addl. Chief Architect, Sr. Architect, Architect, Dy. Architect & Asstt. Architect, as per Appendix A & B are approved with the directions that the same may be sent to UPSC for their approval and thereupon to the Central Government for its approval. It is further resolved that further action be taken in anticipation of confirmation of the minutes.

Further, resolved by the council that the RRs. for the post of Arch. Asstt. is also hereby approved.

COUNCIL'S DECISION

Resolved by the Council that the Recruitment Regulations for the post of Chief Architect, Addl. Chief Architect, Sr. Architect, Architect, Dy. Architect & Asstt. Architect, as per Appendix A & B are approved with the directions that the same may be sent to UPSC for their approval and thereupon to the Central Government for its approval, in anticipation of confirmation of the minutes.

Further, it is resolved by the Council that the RRs. for the post of Architect Assistant is also approved.

The Council also resolved that the representation of the Assistant Architect regarding parity in pay scale with other organizations be examined and put up before the Council.

ITEM NO. 05 (D-1)

1. **Name of the subject/proposal:** Strengthening of Pension & Gratuity Corpus.

2. **Name of the Department/ departments concerned:** Accounts Department

3. **Brief history of the subject/project:**

The Economics Survey for 2004-05 forewarned the Government to make comprehensive changes to bring down ever-increasing liabilities on the Pension front which, in Government of India, has increased sevenfold to Rs.15,367 crores in the last 13 years. The economic survey pointed out that the annual average increase in pension outgo for states was 27 per cent since 1990 as against 21 per cent for the Centre.

The total Pension outgo of the Central Government rose from 0.38 per cent of the GDP in 1990-91 to 0.74 per cent in 1999-2000. As a percentage of revenue receipts, pension bill piled up from 3.9 per cent in 1990-91 to 7.9 per cent in 1999-2000. Pension, alongwith interest payments and subsidies, amounts to about Rs.1,88,000 crores – which works out to 40 per cent of the Government's total spending.

As far as NDMC is concerned, although there is a handsome/sufficient corpus of Rs. 987crores in 'Pension and Gratuity Fund' and approximately Rs.60 crore is needed annually to meet out pension related liabilities, but the following attributes, in future, will certainly enhance the annual outgo of pension liabilities:-

- (a) The verdict of Hon'ble Supreme Court of India to grant S.S. Scales to left-out categories of Civil Engg. Department – This judgement will bind the Council to revise the pensions of those municipal pensioners who retrospectively are benefited by this crucial judgement. The council will have to shed a chunk of its corpus on this count.
- (b) The Government of India had set up the Sixth Pay Commission whose recommendations would be effective w.e.f. 1.1.2006. With the grant of new pay scales, the gamut of pension liabilities will too increase proportionately w.e.f. 1.1.2006.
- (c) At present approximately 30 municipal employees are retiring per month. The number of pensioners is increasing day-by-day and the number of retiring municipal employees will go up fivefold during the coming seven years. A statement indicating retirements that will take place upto 2040 AD is **enclosed (See pages 64 – 65)**.
- (d) The rate of DR is also increasing day by day burdening the exchequer regularly.

The above-enumerated factors will impact the corpus abruptly. This situation warranted that an estimation of future pension liabilities be calculated on actuarial basis and the Pension Corpus be strengthened taking into consideration the estimation of the liabilities by a professional 'Actuary'.

Accordingly, with the approval of Chairperson dated 4.10.2005, an advertisement was inserted in four leading dailies for hiring the services of a qualified and experienced actuary for assessing the present value of its liabilities towards various retirement benefits of its employees viz. leave salary, gratuity and pension. The advertisement was also displayed on

the websites of NDMC and NCT of Delhi. In addition, a copy of advertisement was e-mailed to Actuarial Association of India, Mumbai, to circulate the same to all the members of the Association. In response, the following six actuaries submitted their bids:-

Sr. No.	Name	Place
1.	M/s MERCER Human Resource Consulting	Mumbai
2.	Sh. P.C. Gupta	Mumbai
3.	Sh. M.L. Sodhi	New Delhi
4.	Sh. Bhudev Chatterjee Actuary	Kolkata
5.	Sh. N.R. Kapadia	Mumbai
6.	M/s Watson Wyatt India Pvt. Ltd.	Kolkata

With the prior approval of Chairperson, Sh. M.L. Sodhi, Consulting Actuary, L-I bidder was assigned the work of assessment of the present value of NDMC's liabilities towards various retirement benefits of municipal employees viz. leave salary, gratuity and pension vide this office letter No.D-130/AD(P)/2006 dated: 16.10.2006.

The Actuary has, inter-alia, completed the job within the stipulated time of 20 days and has submitted the Report of his investigation vide his letter No.L/2006/Pen/REP/1 dated: 02.11.2006 which is **annexed herewith (See pages 66 – 70)**

The Actuary has suggested that a Pension Fund of the magnitude of Rs.2,000 crores should be created. Though the Council vide Resolution 6 dated 13.03.1990 has authorized creation of a Pension Fund but no Regulations have so far been framed to give the said Fund a legal basis. However, with effect from the Financial Year 1991-92, the Council through its annual budget has been setting apart certain sums and depicting the cumulative sums so set apart in the Budget documents **(Statement-II-A-3) (See page 63)** as Pension Fund. However, since Chief Auditor, NDMC has objected to these balances being equated to a Fund in terms of Section 54 of the NDMC Act, 1994, the same have been shown as part of NDMC General Fund under which earmarking the cumulative balance of Rs. 987 crores as of 31.03.2007 as a separate segment under the NDMC General Fund. This position will remain till Regulations are framed and a proper Pension Fund created on a statutory basis. Given this position, Council may authorize setting apart a sum of Rs. 150 crores within the NDMC General Fund under the Pension Fund segment.

The Fund can be strengthened to the recommended level provided a sum of Rs.150 crores is contributed annually for the coming eight years regularly. These calculations are based on the following assumptions: -

1. Mortality in service – As per LIC norms
2. Mortality after retirement – As per LIC norms.

In the year 1990, the Council resolved to create a "Pension Fund" vide Resolution No. 6 dated 13.03.1990 and initially contributed a sum of Rs. 4.00 crores to this newly created Pension Fund.

During the preceding six years the following amounts have been contributed to the Pension Fund: -

Sr. No.	Financial Year	Amount
1	2001-02	Rs.065 crores
2	2002-03	Rs.115 crores
3	2003-04	Rs.110 crores
4	2004-05	Rs.190 crores
5	2005-06	Rs.150 crores
6	2006-07	Rs.110 crores

4. **Detail Proposal on the subject/project:** Not applicable
5. **Financial implications of the proposed project/subject:** Rs.150 crores per annum
6. **Implementation schedule with timeliness for each stage including internal processing:** 8 Years
7. **Comments of the Finance Department on the subject:** We have no objection to contribute at least Rs. 150 crores for coming 8 years or upto the year when it reaches the required level regularly to the Pension Fund Segment in the light of the report of the Actuary dated 02.11.2006 and due to the following reasons: -
- (a) The verdict of Hon'ble Supreme Court to grant S.S. Scales to left out category of Civil Engineering Department.
 - (b) Likelihood of implementation of VI Pay Commission's Report w.e.f. 01.01.2006
 - (c) Increase in the number of pensioners due to increase in retirements.
 - (d) Continuous increase in Dearness Relief to the Pensioners.
8. **Comments of the Department on comments of Finance Department:** No comments are required.
9. **Legal implication of the subject/project:** No legal implications are involved.
10. **Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject:** Council's Resolution No.6 dated 13.03.1990
11. **Comments of the Law Department on the subject/project:** There is no provision in NDMC Act to separately set apart a Pension Fund. The proposed amount so set apart shall be apart of General Fund of NDMC and can be utilised for the purpose of the Act. It can be invested as a surplus Fund under section 52 of the Act.

12. Comments of the Department on the comments of Law Department:

The instructions of the Law Department shall be adhered to in totality.

13. Recommendations:

The case is, therefore, laid before the Council for consideration and decision on the following: -

1. To note the Report of actuary.
2. To accord approval to set apart atleast Rs.150 crores or any other appropriate sum as can be possible with reference to the ways and means position of the Council annually, to the Pension Fund Segment within the overall balances of NDMC General Fund for coming 8 years or upto the year when it reaches the required level and to transfer the balances thereof to statutory Pension Fund as and when established, subject to the condition that balances lying in Pension Fund Segment can be utilized for the purpose referred to in section 50 of NDMC Act, as and when so authorized by the council by a resolution.

14. Draft Resolution:

Resolved by the Council that: -

1. Report of actuary is noted
2. To accord approval to set apart atleast Rs.150 crores or any other appropriate sum as can be possible with reference to the ways and means position of the Council annually, to the Pension Fund Segment within the overall balances of NDMC General Fund for coming 8 years or upto the year when it reaches the required level and to transfer the balances thereof to statutory Pension Fund as and when established, subject to the condition that balances lying in Pension Fund Segment can be utilized for the purpose referred to in section 50 of NDMC Act, as and when so authorized by the council by a Resolution.

COUNCIL'S DECISION

Resolved by the Council that the money so kept apart shall remain in New Delhi Municipal Fund to be utilized for the purposes referred to in Section 50 of the NDMC Act and invested as per Section 52 of the said Act.

ANNEXURE 8 PAGES
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ANNEXURE END

ITEM NO. 06 (A-18)**1. Name of the Subject / Project :**

Augmentation of sewerage in various NDMC areas. SH:- Augmentation of sewerage system from Talkatora Road to Ashoka Road via Dr. Bishamber Dass Marg -----Tenders thereof

2. Name of the Department :

Sewerage Maintenance Division, Civil Engineering Department.

3. Brief History of the live subject / project

The existing sewerage system of NDMC area which was mostly laid in pre-independence period, has become inadequate to cater to the present day demands as well as projected demands upto the year 2030. Besides this, some of the sewer lines have outlived their useful life. To examine the existing sewerage system of entire NDMC area and to suggest ways and means for augmentation of lines which would be quite sufficient for considerable time to come, NDMC appointed M/s Tata Consulting Engineer (M/s T.C.E) for this purpose. M/s Tata Consulting Engineers submitted their report by dividing the NDMC area in four parts for study of sewerage system viz (i) Diplomatic Area Zone (ii) South of Railway Line Zone (iii) North of Rajpath Zone (iv) South of Rajpath Zone. The report of M/s T.C.E. has been accepted by the competent authority.

After acceptance of report of M/s T.C.E., various schemes of Augmentation have been carried out in all the four zones. This particular scheme of augmentation of sewerage system from Talkatora Road to Ashoka Road via Dr. Bishamber Dass Marg falls in North of Rajpath Zone wherein 90% augmentation work has already been completed as per the recommendations of M/s T.C.E.

4. Detailed proposal on the subject / Project :

The scheme pertains to the area which caters to the flow from President Estate and Minister's/MP's bungalows near North Avenue. The existing sewer line of 250mm to 300mm dia which starts from Park Street to end at Ashoka Road barrel through Talkatora Road, Pandit Pant Marg and area behind Gurudwara Rakabganj Road which had been found to be inadequate to carry the discharge of a huge area. Accordingly, M/s T.C.E recommended to augment sewerage system of the area by proposing to lay a 350-400mm dia sewer line, measuring about 760 metres long, through trenchless technology and open cut & cover method from Talkatora Road to Ashoka Road through Dr. Bishamber Dass Marg and Pandit Pant Marg to curtail the flow from 250mm dia from Park Street sewer and reduce the load on

the existing sewer near Gurudwara Rakabganj Road. A part of sewage from North Avenue also was proposed to be diverted to this sewer. Accordingly as per recommendations of M/s T.C.E, a preliminary estimate amounting to Rs.58,36,000/- was approved by the Council vide Item No. 4(A-I) dt. 19.04.2006. Thereafter detailed estimate amounting to Rs.62,28,500/- and NIT amounting to Rs.45,64,149/- were approved by the competent authority. Tenders were invited after giving due publicity through press, notice board, websites and various contractor's association. However, in the first call the same were rejected because the lowest tenderer at 42.47% above the estimated cost of Rs.45,64,149/- against justified cost of 47.82% above, was not registered in appropriate class i.e. Class-II. In the second call of tenders, four tenderers as per details given hereunder, submitted their tenders:-

S. No.	Name of Contractor	Estimated Cost	%age above/below	Tendered Amount	E/Money
1.	M/s Jagdish Construction Co.	Rs.45,64,149/-	105% above	Rs.93,56,505/-	Rs.91,283/-
2.	Sh. Gyan Chand Goel	-do-	51.51% above	Rs.69,15,142/-	Rs.93,000/-
3.	M/s Tomar Construction Co.	-do-	Financial bid not opened as contractor does not fulfill the criteria of registration in Class-II.		
4.	M/s Hari Construction Co.	-do-	Financial bid not opened as contractor does not fulfill the criteria of registration in Class-II.		

Out of the above four offers financial bids of two contractors at S.No. 3 & 4 were not opened because they did not fulfill the criteria of registration in appropriate class i.e. Class-II. Tenderer at S.No.3 who claimed to be Rs.6.00 lacs less than the lowest tenderer is registered in Class-III in Delhi Jal Board. Opinion of Finance Department was sought for regarding opening of their financial bid but Finance advised that it was not appropriate to open their offer since they were not registered in required category of contractors i.e. Class-II. As regards the tenderer at S.No.4, M/s Hari Construction Co., they are registered in Class-III in NDMC.

5. Financial Implication of the proposal :

From the above comparative statement, Sh. Gyan Chand Goel, contractor emerges to be the lowest tenderer who tendered his rates @51.51% above the estimated cost of Rs.45,64,149/-. Since the rates quoted by the lowest tenderer were on the higher side as compared to the justification of rates, negotiations were conducted with him and during negotiation he reduced his rates from 51.51% above to 48% above the estimated cost of Rs.45,64,149/-. The negotiated tendered amount works out to Rs.67,54,941/-.

There is a provision of Rs.40.00 lacs for this scheme in the current years budget vide Item No. D.2.17.11 (B), 109(12) Schedule- V of the budget book. At the time of approval of A/A & E/S estimate for Rs.58,36,000/- by the Council no cost index was considered. However, because of rates now received at 48% above the estimated cost, necessity of sanction of revised A/A & E/S has cropped up and case is being processed separately for obtaining its approval.

6. Implementation schedule with timelines for such stage including internal processing.

The schedule for execution of work is given hereunder:-

(a)	Approval of Preliminary Estimate	:	April,2006
(b)	Approval of detailed estimate	:	November,2006
(c)	Draft NIT, Call of tender & Award of work	:	July,2007
(d)	Start of work	:	October,2007
(e)	Completion of work	:	January, 2009

(Time of completion : 15 Months)

7. Comments of Finance Department on the Subject:

The Finance Department has concurred in the proposal to accept the negotiated offer of Sh. Gyan Chand Goel, Contractor at 48% above the estimated cost against justified rates at 47.82% above the estimated cost subject to the condition that the department should place on record date of publication of tender in the newspaper as well as date of display on the NDMC website.

8. Comments of the Department on the comments of the Finance Department:

As regards the comments of the Finance, it is clarified that the tenders were published in newspapers viz The Hindustan Times (English), Hindustan (Hindi) & Daily Pratap (Urdu) on 03.04.2007 and date of display of tender on the website was 31.03.2007.

9. Legal implication of the subject/project

There is no legal implication of the subject/project.

10. Details of previous Council Resolution existing Law of Parliament & Assembly on the Subject:

Originally, the scheme was framed for Rs.76,27,000/- for carrying out the complete work of augmentation of sewerage by open cut & cover method. After concurrence of the Finance

the same was noted to the Council on 08.02.2005 which vide Item No. 7(A-11) decided as under:-

"Resolved by the Council that Road restoration and shifting of underground services contribute a considerable amount in the total estimate of Rs.76,27,000/- as such the feasibility of getting this work done through trenchless technology may be examined along with the cost of doing so."

In view of above decision of the Council the sewer line work on main roads i.e. Talkatroa Road, Pandit Pant Marg and Ashoka Road was proposed to be carried out through trenchless technology and on Bishamber Dass Marg through open cut & cover method. Scheme was modified for Rs.58,36,000/- which was approved by the Council vide Item No.4(A-1) dt. 19.04.2006.

11. The comments of law Department on the subject:

As there is no Law point involved in the scheme, as such, no comments of Law Department may be required.

12. Comments of the Department on the comments of Law Department :

In view of 11 above, no comments of the department may be required.

13. Recommendation :

The case is placed before the Council for acceptance of tenders of Sh. Gyan Chand Goel, Contractor at negotiated rates of 48% above the estimated cost of Rs.45,64,149/-, the negotiated amount of which works out to Rs.67,54,941/-.The approval of revised Administrative Approval and Expenditure Sanction estimate be obtained separately.

COUNCIL'S DECISION

Resolved by the Council that the tenders of Sh. Gyan Chand Goel, Contractor is accepted at negotiated rates of Rs.67,54,941/- i.e. 48% above the estimated cost of Rs.45,64,149/-.

ITEM NO.07 (A-19)**1. Name of the Subject/Project.**

Strengthening and resurfacing of roads in NDMC area during 2005-2006 by Hot Mix Technology. Revised Estimate thereof.

2. Name of Department

Civil Engineering Department

3. Brief History of the Subject/Project

52 roads were identified for the resurfacing with the recommendations of two consultants that were appointed for this purpose viz. Noida Toll Bridge Company Ltd. (NTBCL) and Central Road Research Institute (CRR I) and finally it was decided to carry out resurfacing of roads by Hot Mix Technology and Micro surfacing.

The following roads are being resurfaced by using Hot Mix Technology:

1. AFRICA AVENUE
2. ASHOKA ROAD
3. ARCHBISHOP MAKARIOS MARG
4. BANGLA SAHIB MARG
5. DR. S. RADHA KRISHNAN MARG
6. DR. ZAKIR HUSSAIN MARG
7. FEROUZE SHAH ROAD
8. K. G. MARG
9. MADHU LIMAYE MARG
10. MOTHER TERESA MARG
11. SAFDAR HASHMI MARG
12. SATYA MARG
13. TANSEN MARG
14. TEEN MURTI MARG
15. TOLSTOY MARG
16. UDYAN MARG
17. VINAY MARG
18. SOUTH END ROAD
19. SHANTI PATH
20. JANTAR MANTAR ROAD
21. MADHAV RAO SCINDHIA MARG
22. PANDARA ROAD
23. RAJPATH
24. HANUMAN ROAD
25. SANSAD MARG
26. AUROBINDO MARG
27. JOR BAGH ROAD
28. SAFDARJUNG ROAD
29. MAULANA AZAD ROAD

The administrative approval & expenditure sanction amounting to Rs. 1899.42 lacs was accorded by the Council vide Resolution No 5(A-6), dated 17.05.2006.

The tender was awarded to the M/s Satya Prakash & Bros. Pvt. Ltd. at their quoted rate of 39.97% above the estimated cost at a total tendered amount of Rs. 25,55,65,251/- vide

Resolution No. 05 dated 19.07.06. Since, the tendered amount exceeds administrative approval, amount by more than 10% revised administrative approval is required.

4. Detailed Proposal on the subject/project.

The scope of work and specifications adopted in the work are as under:

- i. Tack coat @ 0.25 Kg per sqm with bitumen emulsion complying with IS:8887-19953
- ii. Filling depressions in the road surface using bitumen 60/70.
- iii. 40mm to 50 mm thick dense bituminous macadam (DBM) using 60/70 grade bitumen to achieve a density of 2.352 gm/cc with 4.9% bitumen, as leveling course for camber/profile correction.
- iv. 40-50 mm tick bituminous concrete (BC) as overlay, using PMB-40 grade bitumen to achieve a density of 2.360 gm/cc with 5.4% bitumen.
- v. Sealing the cracks by using hot rubberized bitumen 80/100
- vi. Road marking with thermoplastic paint, applied mechanically.

5. Financial implication of the proposed project/subject.

Details of estimated cost, lowest tender cost and justified cost are as under:-

S. No.	Description	Amount in Rupees & %
1.	Tendered Cost (Lowest)	Rs. 25,55,65,251.00 (39.97% above the estimated cost put to tender of Rs. 18,25,91,290.00)
2.	15% for the drainage improvement on Rs. 25,55,65,251.00	Rs. 3,83,34,788.00
	Total	Rs. 29,39,00,039.00
3.	Contingencies @ 3% on Rs. 29,39,00,039.00	Rs. 88,17,001.00
4.	Departmental charges @ 8% on the estimate being charged to plan fund estimated cost Rs. 5,55,88,431.00	Rs. 44,47,074.00
5.	Amount for third Party Quality Audit	Rs. 49,55,664.00
	Total	Rs. 31,21,19,778.00
	Say	Rs. 31,21,20,000.00

The necessary funds are available under Budget Provision of Rs. 1400.00 lacs vide item No. 46 Page 148, during the financial year 2007-08.

6. Schedule with timeliness for each stage including internal proceedings.

The work has been awarded to M/s. Satya Parkash & Bros. Pvt. Ltd on 28.08.06 and is in progress.. First layer of DBM has been provided on 19 roads. Work on six roads has been completed

7. Comments of the Finance Deptt on the subject.

Finance Deptt has concurred proposal for seeking revised administrative approval and expenditure sanction for an amount of Rs. 31,21,20,000/- (Rupees Thirty One Crore Twenty One Lakh Twenty Thousand only)

8. Comments of the Department on comments of Finance Department.

No Comments

9. Details of previous Council Reso. Existing law of parliament and assembly on the subject.

The administrative approval and expenditure sanction of this work was accorded for Rs. 1899.42 lacs by Council vide item no. 5 (A-6), dated 17.05.2006 and the work was awarded to M/s. Satya Parkash & Bros. Pvt. Ltd. for Rs. 25,55,65,251/- vide council resolution No. 05 dated 19.07.06

10. Comments of Law Department on the Subject.

No legal issues are involved. The case has been concurred by Law deptt.

11. Comments of the Department on the Comments of the Law Department.

Not applicable

12. Recommendations

The case is placed before the Council to accord revised Administrative Approval & Expenditure sanction for Rs. 31,21,20,000/- (Rs. Thirty one Crores twenty one lacks twenty thousand only) for the work Strengthening and resurfacing of Road in NDMC area during 2005-06 Hot Mix Technology.

COUNCIL'S DECISION

Resolved by the Council that the revised administrative approval & expenditure sanction for Rs.31,21,20,000/- is accorded for the work of strengthening and resurfacing of Roads in NDMC area during 2005-06 by Hot Mix Technology.

ITEM NO.08 (B-12)**Subject: Purchase of LT, ACB, Two-Tier Panel.****Department:** Electricity Department**Brief History of Proposal**

The following estimates, having provision of LT, ACB, two-tier Panels, were approved by Chairperson for various works as detailed here under: -

- i) E-7/EE (M/N)/2005-06 replacement of LT board at S/S, J-Point, Bengali Market, New Delhi, Amounting to Rs. 6,38,500/- approved by the Chairperson, dated 14.01.06.
- ii) E-12/EE (M/N)/2005-06 replacement of LT board at S/S, Competant House, C.P. New Delhi, Amounting to Rs. 9,13,500/- approved by the Chairperson, dated 14.01.06.
- iii) E-14/EE (M/N)/2005-06 Replacement / Augmentation of Plant and Equipment at S/S, Kali Bari, New Delhi, Amounting to Rs. 40,01,000/- approved by the Chairperson, dated 14.01.06.
- iv) E-19/EE (M/N)/2005-06 replacement of LT Panels board at S/S, Harsha Bhawan, C.P. New Delhi, Amounting to Rs. 5,69,500/- approved by the Chairperson, dated 24.01.06.
- v) E-15/EE (M/N)/2005-06 Replacement / Augmentation of Plant and Equipment at S/S, Park Street, New Delhi, Amounting to Rs. 39,21,500/- approved by the Chairperson, dated 14.01.06.
- vi) E-09/EE (M/N)/2005-06 replacement of HT/LT, Switches and Augmentation of Tr. Capacity at S/S, Modern School, New Delhi, Amounting to Rs. 27,08,500/- approved by the Chairperson, dated 02.03.06.

Estimate mentioned at serial No. I to V were received in the Store division on 20.2.06 and 19.5.06 respectively and based on the quantity of LT panels stipulated in the sanctioned estimates, a case for purchase of 5 LT Board was initiated and open tenders were called. As the total amount of the purchase was within the delegated powers of E-in-C accordingly with the prior approval of E-in-C, an order amounting Rs. 49,46,443.47 was placed on the lowest firm M/s Kay Bee Elect. vide S.O No. 64/DP/2006-07/EE (S-I) dated 22.02.07.

However since estimate mentioned at serial No.VI was received subsequently on 25.7.06, accordingly one LT Board comprising of 3 panels is being proposed for purchase as an additional quantity making the total amount of purchase being Rs. 54,53,924.11.

DETAILED PROJECT ON THE SUBJECT:

Tenders for the purchase of five boards of LT ACB two tier panels were invited in two cover system by giving due publicity. After following prescribed procedures for processing of tenders M/s Kay Bee Electricals Ltd. emerged as the lowest firm and with due approval of E-in-C an order was placed on M/s Kay Bee Electrical for a total amount of Rs. 49,46,443.47 which was within the delegated powers of E-in-C.

Since the requirement of LT Board against estimate No.09/EE (M/N)/2005-06 dated 02.03.06 was received on 25.07.06 i.e., at later date, it was proposed to purchase this quantity by invoking the additional quantity clause of the supply order. The total cost implications for the purchases already made and including additional quantity are as under: -

(A) Order placed vide S.O. No. 64/DP/2006-07/EE (S-I) dated 22.02.07

S.No	Description	Qty.	Rates of the L-1 firm
1.	LT ACB Two tier panel comprising following: -	4 Board	
	a) I/C + B/C: 1 Nos (1600A + 1600A)		
	b) I/C + O/G: 1 Nos (1600 Amp + 800 Amp)		
	c) O/G + O/G: 4 Nos (800A + 800A)		
2.	LT ACB Two tier panel comprising following: -	1 Board	
	a) I/C + B/C: 1 Nos (1600A + 1600A)		
	b) I/C + O/G: 1 Nos (1600 Amp + 800 Amp)		
	c) O/G + O/G: 3 Nos (800A + 800A)		
Total Computed amount including taxes and details			Rs. 49,46,443.47

(B) Additional Quantity now proposed

1.	LT ACB Two tier panel comprising of following: - a) I/C + O/G: 1 Nos (1600 Amp + 800 Amp) b) O/G + O/G: 2 Nos (800A + 800A)	1 Board	
Total Computed amount Including taxes and details			Rs. 5,07,480.64/-

(C)

	Total Computed Amount of 6 Board including taxes and duties (A+B)	Rs. 54,53,924.11
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FINANCIAL IMPLICATION: -Rs. 54,53,924.11 (Rs. 49,46,443.47 being the amount of original order + Rs. 5,07,480.64/- being the amount of additional quantity.)

IMPLEMENTATION SCHEDULE – Within two months

COMMENTS OF FINANCE – As per clause 13.12 of NIT additional quantity upto 20% can be obtained by invoking deviation clause for which in principle approval may be obtained from Chairman, however Department may obtain approval for revised tendered cost from the Council as the total amount shall exceed Rs. 50 Lakh. The Department will also certify that the rates are reasonable with respect to current market rates.

COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF FINANCE –

1. Approval of Chairperson/Council is being obtained and the case is being put up accordingly.
2. The rates are reasonable with respect to the current market rates.

LEAGAL IMPLICATION - No Law point is involved in the case.

COMMENTS OF LAW DEPARTMENT- No law point is involved at this stage as Chairperson has accorded the proposal.

COMMENTS OF DEPARTMENT ON COMMENTS OF LAW DEPARTMENT- In view of above the case is being put up to Chairman/Council for approval.

RECOMMENDATIONS: - Department recommends to place order for purchase of one LT board comprising of three panels amounting to Rs. 5,07,480.64 on M/s Kay Bee Electrical Ltd. as an additional quantity against original order No. 64/DP/2006-07/EE (S-I) dated 22.02.07 making total value of purchase as Rs. 54,53,924.11.

COUNCIL'S DECISION

Resolved by the Council that purchase order be placed for purchase of one LT Board comprising of three panels amounting to Rs.5,07,480.64 on M/s Kay Bee Electrical Ltd. as an additional quantity against original order no. 64/DP/2006-07/EE(S-I) dated 22.2.2007 making total value of purchase as Rs.54,53,924.11.

Further resolved by the Council that the process be expedited and completed by December, 2007.

ITEM NO. 09 (B-13)

(1) **Name of the Project :** **Installation of Two 990 KVA Unitized substations, adjacent to NDMC Fire Control Room and temple near Lok Nayak Bhawan Khan Market, New Delhi.**

(2) **Name of the Department :** Electricity (Planning)

(3) **Brief History of the Project :**

There is an Electric Substation in the basement of Lok Nayak Bhawan having 5 x 1000 KVA transformers feeding the load to the various offices/shops in the building as well as outside load in the adjoining areas. The load requirement in Khan Market area is increasing day by day and is not feasible to meet the same from the existing Electric Substation in Lok Nayak Bhawan. CA, NDMC approved plot of size 15 x 6 meters adjacent to NDMC Fire Control Room and temple near Lok Nayak Bhawan Khan Market, New Delhi for the installation of two 990 KVA unitized substations.

(4) **Detailed proposal on the Project :** CA, NDMC has approved plot of 15 x 6 meters size adjacent to NDMC Fire Control Room and temple near Lok Nayak Bhawan Khan Market, New Delhi for the installation of two 990 KVA unitized substations. There are a number of Govt. offices like; C.G.A., CBI, CBDTD, OPT etc. being maintained by CPWD besides other Govt./semi-Govt. offices etc. S.E., CPWD has requested vide various letters to increase the load to 1800 KW as the load demand of various offices is increasing day by day due to installation of Acs, computers and other modern gadgets. E.E.(D/S) has mentioned in letter dated 13-10-06 that the existing load of various offices in Lok Nayak Bhawan is 432.62 KW as such there is an additional requirement of 1367.38 KW which cannot be met from the existing Electric Substation in Lok Nayak Bhawan without diverting the existing LT feeders feeding supply in the adjoining areas as the Electric Substation is running to its full capacity.

It is the prime responsibility of Council to provide uninterrupted power supply to its various consumers. The proposed unitized substations shall facilitate uninterrupted power supply and shall meet additional load requirement of various consumers in the adjoining areas as the number of connections as well as the load requirement is increasing day by day. The benefit of the proposed system is difficult to express in monetary terms. However the cost incurred in the proposed system shall be beneficial in terms of efficient power distribution and recovered gradually by revenue increase as a result of sanction of additional load.

The following has been proposed in the estimate :

- (i) 2 Nos. 990 KVA unitized substation.
- (ii) HT feed of size 300 sq.mm/3C.
- (iii) LT XLPE cable of size 400 sq.mm/3-1/2C.
- (iv) Pillar big size complete.

Accordingly an estimate amounting to Rs. 1,22,39,500/- has been framed for Installation of two 990 KVA Unitized substations, adjacent to NDMC Fire Control Room and temple near Lok Nayak Bhawan Khan Market, New Delhi to meet the load in the Khan Market area and also diverting the outside load being fed from Electric Substation Lok Nayak Bhawan to the proposed unitized substations by installing GS Pillars. The expenditure shall be charged to the head of account E-4-1.

(5) **Financial implications of the proposed project** : Accordingly an estimate amounting to Rs. 1, 22,39,500/- has been framed for Installation of two 990 KVA Unitized substations, adjacent to NDMC Fire Control Room and temple near Lok Nayak Bhawan Khan Market, New Delhi to meet the load in the Khan Market area and also diverting the outside load being fed from Electric Substation Lok Nayak Bhawan to the proposed unitized substations by installing GS Pillars. The expenditure shall be charged to the head of account E-4-1 for which a provision of Rs. 10 lacs during R.E. 2006-07 & Rs. 40 Lacs during B.E. 2007-08 was proposed. During the finalization of R.E.2006-07 & BE 2007-08, the proposed amounts were reduced to Rs.1 lac & Rs. 20 lacs respectively and it was informed that the same shall be increased after the approval of the estimate.

(6) **Implementation schedule with timeliness for each stage including internal processing** :

i) Approval of scheme by Council	July, 2007
ii) Technical sanction of the estimate	August, 2007
iii) Issue of estimate to Construction Division for execution	August, 2007
iv) Preparation of draft NIT	September, 2007
v) Call of tenders	September, 2007
vi) Award of work including opening of tenders, negotiation with the tenderer etc.	November, 2007
vii) Completion of work	February, 2008

(7) **Comments of the Finance Deptt. on the subject** :

The Finance Deptt. has concurred to the proposed estimate subject to

- i) Availability of funds.
- ii) Approval of the competent Authority.
- iii) Correctness of information and data submitted by the Deptt.
- iv) Codal provision be adhered to while execution of the work.
- v) The Project Report be prepared in accordance with the format given in the Standing Order No. 7/2003-04 dated 2-9-03 before seeking approval of the Competent Authority.
- vi) After execution of the work the matter for enhancement of load of the consumers be taken up.
- vii) The credit sheet be added, if any.
- viii) The time for completion of work be brought on record before taking A/A of Competent Authority.

(8) **Comments of the Deptt. on comments of Finance Deptt.**

- i) Funds are available. Provision of Rs. 10 lacs during R.E. 2006-07 & Rs. 40 Lacs during B.E. 2007-08 was proposed. During the finalization of R.E.2006-07 & BE 2007-08, the proposed amounts were reduced to Rs.1 lac & Rs. 20 lacs respectively and it was informed that the same shall be increased suitably after the approval of the estimate.
- ii) Necessary approval is being sought from the competent authority.
- iii) Information and data are correct.
- iv) The work would be executed by the executing division as per the Codal provision.
- v) Project report has been prepared and placed in the file.
- vi) The matter for enhancement of load of the consumers will be taken up.
- vii) This being a new substation, Credit sheet is not required.
- viii) Time for completion of work : Four months after award of work i.e. February, 2008.

(9) **Legal implication of the Project** : No legal implication is involved.

(10) **Details of previous Council Resolution** : N.A.

(11) **Comments of the L.A. & C.A. on the project** :

L.A. has referred the case to C.A. with the remarks that:

"The proposal is to meet additional requirement of Khan Market. It is presumed that land use permits installation of 990 KVA unitized substations. CA may please confirm if the units are not for Lok Nayak Bhawan exclusively".

C.A. has observed that :

"The records reveal that while Architect Deptt. was requested to select a suitable site, it was stated by the Electricity Deptt. that establishment of a unitized sub station in Lok Nayak Bhawan Complex is to meet up the required load of Lok Nayak Bhawan only and the site for unitized substation shall be in ground floor. Accordingly the proposed site was suggested by Architect Deptt. ESS/USS can be installed in any land irrespective of its land use. However, if the USS in question is not for Lok Nayak Bhawan only then it may be installed some other location like near the Public Convenience opposite to Prithvi Raj Market or at the back/rear side of Prithvi Raj Market, Electrical Deptt. may also explored whether USS could be installed in the basement or not. Elect. Deptt. may also furnish the exact size of USS for assessment of space required to install USS."

(12) **Comments of the Deptt. on the comments of L.A. & C.A.** :

The clarifications are as under :

CA, NDMC had earlier approved plot of 15 x 6 meters size adjacent to NDMC Fire Control Room and temple near Lok Nayak Bhawan Khan Market, New Delhi for the installation of two 990 KVA unitized substations.

The other location for installing the unitized substations, suggested by C.A., are not found suitable being not at load centre locations and will unnecessarily increase the estimated cost.

The proposed 2 Nos. 990 KVA unitized substations are to be installed for diverting the outside load being fed from Electric Substation Lok Nayak Bhawan meeting the load requirement of Khan Market area. New sub-stations will ease the load on existing substation in the basement of Lok Nayak Bhawan. NDMC will be then in a position to meet additional load demand of offices in Lok Nayak Bhawan.

The proposed unitized substations cannot be installed in the basement due to non availability of space in the substation.

Two unitized substations can be accommodated in the earmarked area of 15 x 6 mtrs.

(13) **Recommendation** : The case may be noted to the Council for sanction of estimate amounting to Rs. 1,22,39,500/- (Rupees One Crore Twenty two lakh thirty nine thousand five hundred only) for Installation of two nos. 990 KVA Unitized substations adjacent to NDMC Fire Control Room and temple near Lok Nayak Bhawan Khan Market, New Delhi and also to accord administrative approval and expenditure sanction to the estimate.

(14) **Draft Resolution** : Resolved by the Council that estimate amounting to Rs. 1,22,39,500/- (Rupees One Crore Twenty two lakh thirty nine thousand five hundred only) is sanctioned and A/A & E/S accorded for Installation of two nos. 990 KVA Unitized substations adjacent to NDMC Fire Control Room and temple near Lok Nayak Bhawan Khan Market, New Delhi.

COUNCIL'S DECISION

Resolved by the Council that administrative approval and expenditure sanction to the estimate amounting to Rs.1,22,39,500/- is accorded for installation of two nos. 990 KVA Unitized Sub-stations adjacent to NDMC Fire Control Room and Temple near Lok Nayak Bhawan, Khan Market, New Delhi.

ITEM NO. 10 (M-1)

- 1. Name of the subject/project : Mid day meal scheme**
- 2. Name of the department/departments concerned: Education department**
- 3. Brief history of the subject/project:**

National Programme of Nutritional support to Primary Education commonly known as the mid day meal scheme was launched as a Centrally sponsored Scheme on 15th Aug.1995. The objective of the scheme was to boost universalization of Primary Education by increasing enrolment, attendance, retention and learning level of the children especially those belonging to the lower section of the society and to improve Nutritional status of the children.

NDMC implemented the scheme in August 2003 and 60 schools out of 82 schools were covered in the year 2003-04. The scheme was fully implemented in the month of September 2004 in all the NDMC, NDMC Aided & Navyug Schools run by the Navyug School Education Society, a fully funded Society of the NDMC. Since then NDMC is providing cooked mid day meal in all the Schools up to Class V through NGOs/Caterers by providing the requisite 300 calories and 8-12 gms. of protein per child per day and lifting the grains from the FCI godown as per the requirements.

The Ministry of HRD, Govt. of India vide letter No.F.1(9)/2006-Desk(MDM) dated 20-09-06 had informed the revision of NP-NSPE. In accordance to the revised guidelines cooked meal with Nutritional content shown in the table below will be provided to all children in class I to V.

Nutritional Content	Norm as per NP-NSPE, 2004	Revised Norm as per NP-NSPE, 2006
Calories	300	450
Protein	8-12	12
Micronutrients	Not prescribed	Adequate quantities of micronutrients like iron, folic acid, vitamin-A etc.

Education department is of strong view that if the scheme is extended to Senior Secondary schools approximately 8000 children will be added, it will help in improving retention of students in school system thus helping in achieving goals of Sarva Shiksha Abhiyan (Children between age of 6 to 14 years) and will definitely benefit improve their nutrition level.

4. Detailed proposal on the subject/project:

4.1 The scheme be implemented as per the following rate/Nutritive value/weight of cooked meal:

Category of the students	Rate per day per child	Nutritive value	Approx. Weight of the cooked meal
Nursery	Rs.2.50	350 calories 10 Gms. Protein	250 Gms.
Primary	Rs.2 & 100 gms. of grain	450 calories 12 gms. protein	300 Gms. to 350 Gms.
Middle	Rs.3	450 calories 12 gms. protein	300 Gms. to 350 Gms.
Sec. & Sr. Sec.	Rs.3	450 calories 12 gms. protein	300 Gms. to 350 Gms.

4.2 At most importance shall be given to Health & Hygiene, quality & quantity of the food. The items of food to be supplied are as under:

- i. Dal Chawal/Sambar Chawal
- ii. Poori Subzi/Poori Chole
 - i. Chana Dal Pulao/Black Gram Pulao
 - ii. Sweet Dalia/Kheer
 - iii. Mixed Vegetable Pulao
 - iv. Any other item suggested by Govt. of India/Govt. of NCT of Delhi/NDMC

4.3 Application will be invited by giving wide publicity through public notice from the following categories.

- i. Parents Teachers Association
- ii. Vidyalaya Kalyan Samiti
 - i. Resident Welfare Association.
 - ii. Non-Governmental Organization.
 - iii. Reputed Caterers having infrastructures for canteens.
 - iv. Kitchen of the Social Welfare homes if available in the vicinity.
 - v. Anganwadis.
 - vi. Institutions with considerable experience in providing cooked meals in clusters.
 - vii. Proprietor or Partners of firms/individuals of repute in supplying the cooked meals.
 - viii. Tihar Jail
 - ix. Self help Groups.

4.4 A committee comprising of Director Finance, MOH/Director Health, Director Welfare, Director Education, AEO(MMS) and DEO be constituted for recommending/selection of the supplier for three academic years i.e. 2007-08, 2008-09 & 2009-2010 . The weightage for making preferential category will be done by the proposed committee on the basis of Financial capability, Experience in Mid day meal, Provision of kitchen, Health License and any other decision/proposal of the committee.

4.5 The NGO/Firm/Individual who will be assigned the job of mid day meal will lift the wheat/rice quota directly from the FCI Godown on the basis of the allocations of wheat/rice by the Govt. of India/ NDMC.

4.6 The contract/agreement between the NDMC and the selected supplier will be made by the Director Education on behalf of NDMC for the year 2007-08.

- 4.7 On the satisfactory performance report of the supplier the work will be awarded/extension will be given for the subsequent year annually and the same supplier can be given contract i.e. for three years in continuation up to 2009-2010.

5 Health and Hygiene

- 5.1 The selected NGOs/Caterer/others who will be assigned the job of supplying mid day meal in NDMC schools shall supply the meal in the sealed container and unseal the container in the presence of the Head of the school/Members of the school committee before the distribution of the cooked meal in tiffin box/disposal plates of good quality.
- 5.2 MOH will monitor the quality and hygiene of food supplied to the school children by deputing Doctors/Dietician.
- 5.3 A committee comprising of Head of the Institution/HM, a domestic science teacher/science background teacher and a PTA member/residential welfare member of the area will supervise the scheme and head of the school will ensure that the food supplied by the supplier is in accordance with the Hon'ble Supreme Court orders i.e. having 300 calories and 8-12gms of protein per unit. The cooked food will be tasted by the members of the committee and the concerned class teachers before the distribution among the children.

6. Monitoring & Checking

- 6.1 Mothers can be made a formal member of the existing school level monitoring committee. This monitoring committee shall meet at least four times a year to review/assess implementation of the programme.
- 6.2 The committee members shall visit the kitchens of the suppliers periodically. The programme of visit shall be decided by the Head of school. Observations made during visits shall be informed to the supplier as early as possible. In case of any adverse observations HQs shall be informed immediately. Every school shall have a separate complaint/suggestion register for mid day meal.
- 6.3 In order to minimize any irregularity and for proper monitoring and accountability all the schools under the jurisdiction of NDMC were divided into 8 zones and Nodal officers were appointed to monitor the scheme in each zone.
- 6.4 PTA shall be requested to make sure at least one parent by rotation should be present to check and taste the meal. A register shall be maintained by the Head of the school on which the entries of (i) Name of the parents (ii) Name of the students (iii) Class of the students (iv). Address & (v) Remarks for each date with signature of the parents shall be maintained.
- 6.5 To have an idea of impact of mid day meal on the Health of the children a regular Health checkup shall be done by the school health Doctors.

7 Estimated expenditure For implementation of mid day meal scheme in NDMC, NDMC Aided School for the period 1st July 2007 to 30th April 2008 :

Estimated expenditure for Pry. students including Aided School@Rs.2 /- per child per day for 200 days for 1st July 2007 to 30th April 2008

The tentative enrollment of primary students :. 16435 (approx)
(NDMC:15638 NDMC Aided:797)
Estimate expenditure @ Rs.2/- per day for 200 days
=16435 x 2 x 200
= Rs.6574000/-

Estimated expenditure for Nur. Students including aided school @Rs.2.50/- per child per day for 200 days for 1st July 2007 to 30th April 2008

Tentative enrollment of Nursery students : 3085(approx)
Expenditure Rs. @ 2.50 per day for 200 days =3085 x 2.50 x 200
= Rs. 1542500/-
Total = Rs.8116500

The total estimated expenditure on the basis of the average attendance i.e. 90% which is likely to be incurred for the period 1st July 2007 to 30th April 2008 :

The total estimated expenditure = 90% of Rs. 8116500/-
=Rs. 7304850

The estimated expenditure for extending the scheme up to Secondary level covering 8126(5569 Middle, 1579 Sec. & 978 Sr. Sec.) (approx) students of NDMC schools.

=Rs.3*90% of 8126*200
= 4388040/-

The total estimated expenditure to implement the scheme Nur. to Sr. Sec. level student of NDMC & NDMC Aided schools. = Rs. 1,16,92,890/-

8. Comments of the Finance Department on the subject :

Finance department is of the opinion that the existing system of supplying mid day meal to the students up to Primary Classes only may continue and concurred in the proposal for Administrative Approval & Expenditure sanction at Rs. 73,00,000/- (Rs. Seventy Three Lakh Only) for distribution of mid day meals to students up to Primary classes of NDMC and its aided schools during the current academic year 2007-08. The department may ensure that :-

- 1) Sufficient plan funds are available.
- 2) The scheme is being run strictly in accordance with the guidelines/instructions issued from time to time by the Govt. of India, Ministry of Human Resources Development and that by the GNCT, Delhi.
- 3) Actual expenditure incurred on this account during 2006-07 including the approximate value of food grains being drawn from Govt. of India and supplied to the contractors may be indicated in the Draft Agendum while obtaining approval of the Council.

9. Comments of the department on comments of Finance department

Education department is of strong view that if the scheme is extended to its middle to Senior Secondary schools approximately 8000 children will be added, it will help in improving retention of students in school system thus helping in achieving goals of Sarva Shiksha Abhiyan (Children between age of 6 to 14 years) and will definitely benefit improve their nutrition level.

The para wise comments of the department are as under:

PARA – I

a) A Budget provision of Rs. 100 Lakh for primary students exists under head of account D.1.10.9(i) (Plan fund) for the B.E. 2007-08.

b) To implementation/extension of the scheme up to Sr. Sec. level for NDMC students involving an additional expenditure Rs. 43,88,040/- . in anticipation of allocation of sufficient fund by budget branch under the Head of account d.1.10.9(1) Non plan fund for the year 2007-08 expenditure will be met out.

PARA – II

The implementation of the scheme in NDMC is in accordance with the guidelines/instructions by the Govt. of India, Ministry of Human Resources Development and that by the GNCT, Delhi.

PARA – III

The total expenditure incurred/booked in the year 2006-07 is Rs.55.87 Lacs. Presently NDMC is receiving the central assistance for the primary level students only in the form of free grain subsidy i.e. a provision of wheat/rice @ 100gms per student the wheat quota which issued/released to the mid day meal provider through NDMC on the basis of actual feeding units/students in school. Govt. of India on verification from the GNCT/NDMC directly reimbursed the cost of grain to FCI at BPL rate. In the year 2006-07 NDMC lifted/dispensed total 2420.6 quintal of grain i.e. Wheat : 1210.3 quintal, Rice : 1210.3 quintal.

The total value which the Govt. of India directly reimbursed to FCI at BPL rate is equivalent to Rs. 1186094/- as detail below :

Wheat: Rs.1210.3*415 = 502274.5

Rice : Rs.1210.3*565 = 683819.5

Total : Rs. 1186094/-

10. Legal implication of the subject/project

Hon'ble Supreme Court of India in the case titled WP(C) 196/2001 [PUCL V/s Union of India & Others] directed the state / Union Territory Governments to implement the mid-day-meal scheme by providing each child in every Government and Government assisted primary schools with a prepared mid day meal with a minimum content of 300 calories and 8-12 gms. of protein each day of scheme for a minimum of 200 days.

11. Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject :

a) Council resolutions No. 16(M-1) dated 02-07-04 : Resolved by the council that Revamped mid day meal scheme 2004-05 as proposed in the preamble is approved by according administrative approval and expenditure section amounting to Rs. 92,84,100/- for this scheme.

It was further resolved by the Council that the existing contract of the mid day meal scheme be continued till 31-08-04 or the date of implementation of new proposed revamped mid day meal scheme whichever is earlier on the same term & conditions as specified in the existing contract.

b) Council resolutions 12(M-2) dated 27-04-05 : Resolved by the council that administrative approval and estimated expenditure for an amount of Rs. 85 lacs for supply of mid day meal @ Rs.2/- per child per day with 100gm. Free food grain for Primary school children and Rs.2.50 per day per child without free food grain for Nursery school children of NDMC and NDMC aided schools for above 200 days during the year 2005-06 is under mid day meal scheme is accorded.

c) Council resolutions 13(M-3) dated 19-05-06 : Resolved by the Council that mid day meal scheme for the academic session 2006-07 as proposed in the preamble and administrative approval and estimated expenditure sanction for an amount of Rs.76 Lacs @ Rs.2/- per child per day with 100gms free food grain primary school children and a flat rate i.e. @ Rs.2.50 per day per child without free food grain for Nursery school children of NDMC and NDMC Aided schools for about 220 days up to 30th April 2007, is approved.

Further resolved by the Council that all the members of the Council shall be special invitees of the Committee, comprising of Head of the Institution, Domestic Science Teacher, and PTA member, to check the quality of food.

12. Comment of the Law department on the subject/project : NA

13. Comments of the department on the comments of Law department : NA

14. Recommendation :

1. a) Mid day meal scheme for the academic session 2007-08 as proposed in the preamble for extending the benefit of the mid day meal scheme upto Sr. Sec. level

b) If a is resolved, the administrative approval and estimated expenditure sanction amounting to Rs.1,16,92,890/- for supply of mid day meal in NDMC & NDMC Aided Schools for implementing the scheme up to Sr. Sec. level as per rate/ Nutritive value/Weight as proposed detail in permeable.

OR

2. Mid day meal scheme for the academic session 2007-08 as proposed in preamble for the administrative approval and estimated expenditure sanction amounting to Rs.73 Lacs for supply of mid day meal @ Rs.2/- per child per day with 100 gms free food grains for Primary school children for 450 calories and 12 Gms. protein (approx weight of cooked meal 300 to 350 Gms.) and a flat rate i.e. @ Rs.2.50 per day per child without free food grain for Nursery

school children for 350 calories and 10 gms. protein (Approx weight of cooked meal 250 gms.) of NDMC and NDMC Aided schools for about 200 days for the period 1st July 2007 to 30th April 2008.

COUNCIL'S DECISION

Resolved by the Council that Mid day meal scheme for the academic session 2007-08 as proposed in the preamble for extending the benefit of the mid day meal scheme upto Sr. Sec. Level, is accorded.

Further resolved by the Council that the administrative approval and estimated expenditure sanction amounting to Rs.1,16,92,890/- for supply of mid day meal in NDMC & NDMC Aided Schools for implementing the scheme up to Sr. Sec. level as per rate/ Nutritive value/Weight as proposed in the permeable, is also accorded.

ITEM NO.11 (A-20)

1. **Name of Work:** Strengthening of Water Supply System in NDMC Area.

SH: Shifting of existing CI Pipe passing along/below the open drains and RCC pipes at Golf Link and Jor Bagh

2. **Name of the Deptt:** Civil Engineering, Public Health Circle,
Water Supply Division

3. Brief History of the Subject

The existing filter water main lines are running/passing below the storm water drains. At some places, there are open drains and at some places covered drains with RCC pipes. From these main line, individual water connections have been provided to various premises. It becomes very difficult to check the water supply complaints of the premises and leakages in the main lines, as these drains are running along the boundary walls of the bungalows. Contamination complaints are also received frequently, as some times sewerage water also flows in the open drains due to over flow or blockage of sewer lines. Last year, lots of complaints were received from Jor Bagh Area and difficulty was felt in locating the defects. The existing line is more than 50 years old.

4. Detailed Proposal of the subject

As per standing order No. 15, of 7.6.05 a sub-committee was nominated by Chairperson comprising of the following officer:

1. Er. R.S. Thakur, SE (PH)
2. Er. N.N. Sharma, SE (Construction)
3. Er. A.K.Pathak, EE (Planning)
4. Er. K.K. Jetley, EO (C-I)
5. Er. C.M. Narang, EE (W/S)

All the members of the Sub-Committee are of the opinion that there is no other alternative except to replace the existing pipeline and agree with the provision of the proposed estimate.

5. Financial implications of the proposed subject

The P.E. amounting to Rs. 57,57,100/- duly checked by planning has been framed. There is a budget provision of Rs. 30.00 lacs exists vide item No. 265 (11) under the head F-11 of the budget book of the year 2007-08, additional fund will be sought in the RE of 2007-08.

6. Implementation schedule with timeliness for each stage including processing

After approval of Preliminary Estimate & accord of administrative approval and expenditure sanction from the Council, the following time schedule will be implemented:

- | | |
|--|----------|
| A. Detail estimate, NIT and award of work | 3 months |
| B. Shifting of old CI lines with DI pipe of 100/150mm dia. | 6 months |

7. Comments of the Finance Department on the Subject

The observations of the Finance Department dt. 7.12.06, 15.12.06, 30.04.07 and 5.6.07 were clarified and finally, the Finance has observed as under:-

"All the three divisions viz. sewerage, drains and water supply used to be under one circle i.e. Public Health under overall control and supervision of S.E. (Public Health). Laying sewerage & drains lines near/ above the already laid water lines conveys that the problem being faced now was not foreseen, which negates the purpose of putting all these three divisions under one umbrella. Had the schemes of drainage & sewerage been put to proper technical scrutiny having regard to the site plan of water lines earlier laid, the solution now being proposed at a cost of over Rs. 57 lakh would have been taken care of at that point of time and the expenditure being proposed would have been avoided. E-in-C may kindly look into this point and take suitable steps like technical scrutiny of each and every scheme relating to drainage, sewerage & water supply with reference to existing location of these services through site plans so as to avoid the situation as has arisen in the instant case.

Subject to above, we clear the estimate advising the department to seek adequate funds for this scheme. A specific certificate to the effect that the site where the water line in question is proposed to be shifted is not having any drainage & sewerage lines nearby, which may cause contamination to the water & has/will have sufficient space for doing maintenance of the line whenever the need so arises.

8. Comments of the department on comments of Finance Deptt.

It is clarified that the department take into consideration all technical and other aspects whenever any water supply/ sewerage scheme is framed. The pipe lines which are proposed to be replaced under this scheme were laid more than 50 years ago. Lot of development and expansion has taken place during these last 50 years with a result the line which was laid 50 year ago has come under some built up areas. It is confirmed that the new route of the line now proposed is free from built up area and away from existing sewerage and drainage system. The new line will give the service for its stipulated life span and there will not be any contamination of water during its life span.

9. Legal implication of the subject

Not applicable

10. Details of previous Council Resolutions existing law of Parliament and Assembly on the subject

No applicable.

11. Comments of the Law Department on the subject

Not applicable

12. **Comments of the Department on the comments of Law Deptt.**

Not applicable

13. **Recommendation**

The case is placed before the Council for consideration and accord of administrative approval and expenditure sanction to the preliminary estimate amounting to Rs. 57,57,100/- (Rupees Fifty seven lacs fifty seven thousand one hundred only)

COUNCIL'S DECISION

Resolved by the Council that the administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.57,57,100/- is accorded for strengthening of Water Supply System in NDMC area.

ITEM NO. 12 (E-1)**1. Name of the subject / project :**

The New Delhi Municipal Council (Sanitation and Public Health) Bye-laws, 2007.

2. Name of the Department :

Health Department.

3. Brief History of the subject / project :

(1) Chapter XV (sections 261 to 304) of the NDMC Act, 1994 deals with "Sanitation and Public Health". Section 388(1) 'E' *inter alia* provides that subject to the provisions of the Act, the Council may make bye-laws on matters relating to sanitation and public health such as,---

- (i) The whitewashing of the buildings.
- (ii) Power of Chairperson or any authorized officer to inspect any place at any time for the purposes of preventing of the spread of dangerous disease.
- (iii) The proper disposal of corpses, the regulation and management of burning and burial places and other places for the disposal of corpses.

(2) Necessary bye-laws in this regard were drafted and laid before the Council vide resolution item No.27(E3) dated 19.5.2006. In this meeting the Council decided as under:-

"Resolved by the Council that all the bye-laws of the NDMC be referred to the Committee constituted u/s 9 of the NDMC Act for advising the Council or Regulations and Bye-laws to be framed by NDMC."

(3) Accordingly the said draft bye-laws were placed before the Committee on 26.6.2006 where the following decision was taken:-

- "(i) in clause 3(1), after the word "the owner", the words "or the occupier" be inserted.
- (ii) The proposal to invite objections/suggestions from public on draft bye-laws framed under the NDMC Act, 1994 was approved by the Committee. It was also decided that copies of draft bye-laws should go to all RWAs for inviting their objections/suggestions. Wide publicity be given through official website, publishing in newspapers and through electricity bills to public."

(4) In view of the above decision of the Committee, advertisements were inserted in the three leading newspapers namely, the Hindustan Times in English, Hindustan in Hindi and Milap in Urdu on 08.7.2006. The public were

requested to send their suggestions/objections, if any, to the Secretary, NDMC in writing or telephonically or through the website.

(5) No suggestion/objections was received in this behalf. The matter was placed again before the Committee on 24.11.2006 which decided that the matter be looked into afresh, particularly the chapters relating to " Living accommodation for Sweepers" and "Wood sellers at Burning Grounds" be omitted. Provisions relating to "library books" be also deleted. If a person fails to get his building whitewashed etc. as per bye-laws, the work could be got done by the Chairperson and expenses recovered.

4. Detailed proposal on the subject/project:

The following are the main proposals included in the revised draft bye-laws:-

- (a) A duty has been cast on the owner or the occupier of a building to have his building lime-washed or colour-washed at least once in two years and the wood-work and non-lime-washable portion to be oil painted at least once in four years. The Chairperson has been authorized to give notice, wherever necessary, to the owner/occupier of the building to get it lime-washed, etc. Wherever the owner/occupier fails to do so, the work can be got done, after notice, by the Chairperson and recover the expenses. [Clause 3].
- (b) As regards special measures to prevent spread of dangerous diseases the following provisions have been included in the draft.
 - (i) If any place is suspected to have any person suffering from dangerous disease, the Chairperson may inspect that place and order measures for prevention of the spread of the said disease. [Clause 4].
 - (ii) A child who has been exposed to infection of a dangerous disease may be ordered not to attend school till a certificate, for which there shall be no charges, is issued by the Medical Officer of Health of the Council. [Clause 5].
 - (iii) Certain special measures in case of outbreak of dangerous or epidemic diseases have been listed to be taken in clause 7.
- (c) As far as possible, dead body of a person suffering from dangerous disease shall not be kept for more than 12 hours (other than in a public mortuary) without prior sanction. The Chairperson can, in appropriate cases, take help of a Magistrate to have such bodies removed and recover the expenses from persons legally liable to pay. [Clause 8].
- (d) All burning or burial places are required to be registered. The Chairperson has been given power, with the approval of the Council, to close or make provision for new places or reopen a place, which had been closed for disposal of the dead. [Clauses 9,10 and 11].
- (e) Certain acts like carrying corpse along any street where carrying of corpse is prohibited by public notice or without keeping the same decently covered or without taking such precautions to prevent the risk of infection or injury to public health have been prohibited. [Clause 12].

- (f) Provisions have been made for disposal of dead bodies both in the case of graveyard and crematorium as per clause 13.
- (g) (i) At every burning or burial ground a register is required to be kept by municipal employee giving full particulars about the dead person [Clauses 9 and 14(2)].
- (ii) Without the written permission of the Chairperson, no person shall erect any masonry tomb exceeding 1.83 mtr. in length, 1.3.mtr. in breadth and 0.9 mtr. in height, or any samadhi within the limits of any burial or burning ground. [Clause 14(3)].
- (iii) Every burial or burning ground shall, if necessary, be enclosed with walls, fences or hedges, etc. [Clause 14(4)].
- (iv) Penalties on contravention of various provisions have been specified in the table attached to draft Bye-law 16. These do not exceed the limits prescribed in section 390 of the NDMC Act.
- (h) The suggestions made by the Committee on 24.11.2006 have been carried out in the revised draft bye-laws, a copy of which is attached as Annexure to this Preamble. **(See pages 99 – 109).**

5. Financial implications of the proposed project / subject:

No financial implications are involved.

6. Implementation schedule with timeliness for such stage including internal proceeding:

The draft bye-laws as approved by the Council would, after confirmation of minutes, be forwarded to the Government of NCT of Delhi for approval and publication in the Official Gazette. This exercise of sending the bye-laws to the Government of NCT of Delhi is likely to be completed in about three months time.

7. Comments of the Finance Department on the subject:

"We have gone through the draft 'The New Delhi Municipal Council (Sanitation and Public Health) Bye-laws, 2006'. Since no financial point is involved, as such we have no comments to offer. This issues with the approval of F.A."

8. Comments of the Department on comments of Finance Department:

No comments.

9. Details of previous Council Resolution, existing law of Parliament and Assembly on the subject:

There are no previous Council Resolution, existing law or Parliament/Assembly on the subject.

10. Comments of the Law Department on the subject:

Law Department has commented as under:

"We have gone through the draft Bye-laws (Sanitation and Public Health) Bye-laws, 2006. Same appears to be in order. This issues with the prior approval of Legal Advisor."

11. Comments of the Department on the comments of the Law Department:

No comments.

12. Recommendations:

The Committee in his meeting held on 20.06.07 has recommended that the draft as per Annexure (**See pages 99 – 109**) be approved by the Council.

13. Draft Resolution:

Resolved by the Council that the New Delhi Municipal Council (Sanitation and Public Health) Bye-laws, 2007 as approved by the Council be sent to the Govt. of NCT of Delhi for approval and publication in the Official Gazette.

COUNCIL'S DECISION

Resolved by the Council that the New Delhi Municipal Council (Sanitation and Public Health Bye-laws), 2007, are approved and the same be sent to the Govt. of NCT of Delhi, for approval and publication in the official gazette, in anticipation of confirmation of the minutes.

ANNEXURE 11 PAGES

ANNEXURE END

ITEM NO. 13 (A-21)**1. Name of the subject / project :**

Draft of the New Delhi Municipal Council (Execution of Contracts) Bye-laws, 2007.

2. Name of the Department :

Engineer-in-Chief.

3. Brief History of the subject / project :

(1) Section 18 of the Punjab Municipal Act, 1911 (PM Act, 1911) inter-alia provided that every Committee shall be a body corporate by the name of the Municipal Committee of its municipality; and shall have perpetual succession and a common seal. Section 31(1)(e) of the same Act provided that every Committee may provide by bye-laws for the custody of the common seal and the purposes for which it shall be used. Bye-laws 20 and 21 approved by the Chief Commissioner, Delhi vide his Notification No.F.3(64)41-LSG, dated 06.8.1941 provided as under:-

"Custody and use of Common Seal

20. *Custody.-- The common seal of the Committee shall remain in the custody of the Secretary.*

21. *Use .--- The common seal shall be affixed on all contracts, deeds, conveyance, leases, licences, and all notices issued under the Municipal Act and bye-laws thereunder."*

(2) With the enactment of New Delhi Municipal Council Act, 1994 (44 of 1994), the PM Act, 1911 as applicable to New Delhi has, under sub-section (1) of section 416 of the NDMC Act, 1994, ceased to have effect within New Delhi. There is, however, a saving provision under sub-section (2) of that section which, inter-alia provides that any bye-law made under the PM Act, 1911 and in force immediately before the establishment of the Council, shall, in so far as it is not inconsistent with the provisions of the NDMC Act, continue in force and be deemed to have been made under the provisions of the NDMC Act, unless and until superceded by any bye-laws made under the said provisions.

(3) Under section 3(2) of the NDMC Act the Council has also a common seal. Section 144 of the Act is as under:-

"144. Mode of execution of contracts.--- (1) The mode of execution of contracts in this Act shall be prescribed by bye-laws made in this behalf.

(2) No contract which is not made in accordance with the provisions of this Act and the bye-laws made thereunder shall be binding on the Council."

(4) Delhi Municipal Corporation had also made their bye-laws entitled "The Delhi Municipal Corporation (Execution of Contracts) Bye-laws 1958".

- (5) Taking help from the above provisions, NDMC (Execution of Contracts) Bye-laws 2006 (**Annexure-I**) (See pages 113 - 115).
- (6) were drafted and placed before the Committee, constituted under section 9 of the NDMC Act, 1994 for advising the Council on regulations and bye-laws. The said Committee in their meeting held on 24.11.2006 approved the proposal to invite objections/suggestions from public on the draft bye-laws and give wide publicity through official website and publication in newspapers.
- (7) The notice inviting objections/suggestions, within a period of one month from the date of publication from persons likely to be affected by these bye-laws, was issued in three newspapers dated 30.12.2006—The Hindustan Times in English, Hindustan in Hindi and Milap in Urdu. The period of one month expired on 30.1.2007.
- (8) No objection/suggestion has been received from the public within the period mentioned above.

4. Detailed proposal on the subject/project:

It is proposed that the draft bye-laws as per (**Annexure-II**) (See pages 116 - 118) be approved by the Council.

5. Financial implications of the proposed project / subject:

No direct financial implications are involved.

6. Implementation schedule with timeliness for each stage including internal processing:

After the Council has approved the draft bye-laws they will be sent to the Government of NCT of Delhi for their approval and publication in the Official Gazette as required under section 391(1) of the NDMC Act, 1994. The exercise of forwarding the bye-laws to the Government of NCT of Delhi is likely to take one month after the minutes of the Council have been approved.

7. Comments of the Finance Department on the subject:

" Subject to vetting by Law Department and signature on each paper of the draft bye-laws by the consultant, we have no objection to the proposed draft

This issues with the approval of F.A."

8. Comments of the Department on comments of Finance Department:

No comments.

9. Legal implications of the subject/Project

As stated earlier, under section 144 of the NDMC Act, the mode of execution of contract is to be prescribed by bye-laws and a contract which is not made in accordance to the Act and the bye-laws made thereunder is not binding on the Council.

10. Details of previous Council Resolution, existing law of Parliament and Assembly on the subject:

As indicated in para 3 above.

11. Comments of the Law Department on the subject:

"This basically is a subject of Finance and we will go by views of Finance Department."

12. Comments of the Department on the comments of the Law Department:

No comments.

13. Recommendations:

The draft bye-laws were placed before the Committee on 20.06.2007 which has recommended that the bye-laws as per **(Annexure-II) (See pages 116 - 118)** be approved by the Council and sent to the Government of NCT of Delhi for approval and publication in the Official Gazette.

14. Draft Resolution:

Resolved by the Council that the NDMC(Execution of Contracts) Bye-laws 2007 **(Annexure-II) (See pages 116 - 118)**as approved by the Council be sent to the Government of NCT of Delhi for approval and publication in the Official Gazette.

COUNCIL'S DECISION

Resolved by the Council that the NDMC (Execution of Contracts) Bye-laws 2007 are approved and the same be sent to the Govt. of NCT of Delhi, for approval and publication in the official gazette, in anticipation of confirmation of the minutes.

ANNEXURE 6 PAGES

ANNEXURE END

ITEM NO. 14 (A-22)**1. Name of the subject / project :**

The New Delhi Municipal Council (Drainage) Bye-laws, 2007.

2. Name of the Department :

Civil Engineering Department.

3. Brief History of the subject / project :

- (1) The erstwhile New Delhi Municipal Committee was governed under the Punjab Municipal Act, 1911, as applicable to New Delhi area. Bye-laws to regulate the lay out , construction or alteration of drains, sanitary fittings, and other similar works for new or existing buildings in New Delhi area were framed under the provisions of sub-sections (l) and (v) of section 188 and sections 189,190 and 199 of the Punjab Municipal Act, 1911, which were confirmed by the then Chief Commissioner, Delhi vide Notification No. 3(72)/48-LSG dated the 6th November 1948 as subsequently amended from time to time. A copy of these bye-laws is annexed at **Annexure "A" (See pages 123 - 149)**. With the coming into force of the New Delhi Municipal Council Act, 1994 (44 of 1994), it was felt that fresh bye-laws be made in accordance with the provisions of that Act.
- (2) Chapter XI (sections 145 to 194) of NDMC Act, 1994 relates to "Water Supply, Drainage and Sewage Collection". While section 145 deals with certain definitions, section 146 empowers the Council to carry out, among others, a survey of the existing quantity of sewage collection and formulate proposals as to the existing or future sewage collection requirement in New Delhi including proposals for the manner in which and the place or places at which sewage should be carried and collected. Sections 147 to 170 deal with "Water Supply". Sections 171 to 181 deal with "Drainage and Sewage", and section 182 relates to "Collection of Sewage". Sections 183 to 194 deal with miscellaneous matters.
- (3) Keeping in view the existing Delhi Municipal Corporation (Drainage) Bye-laws 1959, the provisions of the NDMC Act, 1994 and experience and difficulties faced in the past, from time to time, a fresh draft of the New Delhi Municipal Council (Drainage)Bye-laws, 2006 was framed, a copy of the said draft bye-laws is at **Annexure "B"** (pp: 150 - 204).
- (4) The draft bye-law at Annexure "B" were placed before the Committee constituted under section 9 of the NDMC Act, 1994 for advising the Council on regulations/bye-laws. The said Committee decided in its meeting held on 24.11.2006 that the proposal to inviting objections and suggestions from public on draft bye-laws framed under the NDMC Act, 1994 be approved and that wide

publicity be given through official website and publication in newspapers.

- (5) Accordingly a notice inviting objections/suggestions from persons likely to be affected thereby within 30 days from the date of publication of the notice was published in three newspapers dated 30.12.2006, namely, the Hindustan Times (English), Hindustan (Hindi) and Milap (Urdu)
- (6) No objection/suggestion has been received from public within the period prescribed in the notice.

4. Detailed proposal on the subject/project:

The following are the main topics on which provision have been made in the NDMC (Drainage) Bye-laws 2007;-

- (i) NOTICE AND SUBMISSION OF PLANS (Bye-laws 4 to 17)
- (ii) HOUSE DRAINS (Bye-laws 18 to 28)
- (iii) MANHOLES (INSPECTION CHAMBERS) (Bye-laws 29 to 34)
- (iv) SOIL AND WASTE PIPES (Bye-laws 35 to 44)
- (v) SOIL PIPE, WASTE PIPE AND VENTILATING PIPE CONNECTIONS (Bye-laws 45 to 48)
- (vi) VENTILATION OF DRAINS (Bye-laws 49 to 57)
- (vii) OPEN DRAINS (Bye-laws 58 to 63)
- (viii) TRAPS (Bye-laws 64 to 70)
- (ix) STORM WATER DRAINAGE (Bye-laws 71 to 72)
- (x) SUB-SOIL WATER DRAINAGE (Bye-laws 73 to 76)
- (xi) WATER CLOSETS (Bye-laws 77 to 95)
- (xii) PRIVIES ON THE INTERMEDIATE WATER CARRIAGE SYSTEM (Bye-laws 96 to 100)
- (xiii) URINALS (Bye-laws 101 to 105)
- (xiv) DRY SYSTEM SERVICE LATRINES AND URINALS (Bye-laws 106 to 115)
- (xv) ASHPITS (Bye-laws 116 to 117)
- (xvi) CESSPOOL (Bye-laws 118 to 124)
- (xvii) HORSE STABLES-PUBLIC OR PRIVATE (Bye-laws 125 to 128)
- (xviii) CATTLE STABLES (Bye-laws 129 to 132)
- (xix) MISCELLANEOUS (Bye-laws 133 to 136)
- (xx) PANALTIES (Bye-law 137)

Since no objection/suggestion has been received, it is proposed that draft bye-laws as per **Annexure "C" (See pages 205 - 264)** may be approved by the Council.

14. Financial implications of the proposed project / subject:

No substantial financial implications are involved.

6 Implementation schedule with timeliness for such stage including internal proceeding:

After the Council has approved the draft bye-laws, they will be sent to the Government of NCT of Delhi for their approval and publication in the Official Gazette as required under section 391(1) of the NDMC Act, 1994. The exercise of forwarding the bye-laws to the Govt. of NCT of Delhi is likely to take one month after the minutes of the meeting of the Council have been confirmed.

7. Comments of the Finance Department on the subject:

"Drafting of bye-laws is basically a legal function, which needs to be decided in consultation with Head of concerned departments. We have however gone through the draft as prepared by the Consultant and have no objection to the adoption of the draft bye-laws now modified subject to:

(1) Paras 134, 135 and 136 may be shifted after para 17 onwards.

(2) The modified bye-laws be got vetted from L.A.

(3) Further, the bye-law for the guidance of licensed plumbers are required to be made as per section 193 of NDMC Act, 1994. The Consultant may incorporate the bye-laws, if need be.

This issues with the approval of L.A."

8. Comments of the Department on comments of Finance Department:

Provisions relating to bye-laws 134, 135 and 136 have been put under a separate sub-head called Miscellaneous. As regards bye-laws for guidance of licensed plumbers under section 193 of the NDMC Act, 1994, it may be stated that separate bye-laws on the subject are being processed separately.

9. Legal Implications of the subject

As stated earlier these bye-laws have been drafted under the various provision of Chapter XI, read with section 388(1) B of the NDMC Act, 1994

10. Details of previous Council Resolution, existing law of Parliament and Assembly on the subject:

As indicated in para 3 above.

11. Comments of the Law Department on the subject:

The Law Department has not offered any comments.

12. Comments of the Department on the comments of the Law Department:

--NA--

13. Recommendations:

The draft bye-laws were placed before the Committee on 20.6.2007 which has recommended that the draft bye-laws as per **Annexure "C" (See pages 205 - 264)** be approved by the Council and sent to the Govt. of NCT of Delhi for approval and publication in the Official Gazette.

14. Draft Resolution:

Resolved by the Council that the draft New Delhi Municipal Council (Drainage) Bye-laws, 2007 are approved by the Council (**Annexure "C"**) (**See pages 205 - 264**) and that they be sent to the Government of NCT of Delhi for approval and publication in the Official Gazette.

COUNCIL'S DECISION

Resolved by the Council that the New Delhi Municipal Council (Drainage) Bye-laws 2007 are approved and the same be sent to the Govt. of NCT of Delhi, for approval and publication in the official gazette, in anticipation of the confirmation of the minutes.

ANNEXURE 142 PAGES

123 – 264

ANNEXURE END.....AT LAST !!!!!!!

ITEM NO. 15 (B-14)

(1) **Name of the Project :** (a) **Replacement of HT/LT panels and augmentation of transformer capacity at Indian Oil Bhawan.**

(b) **Augmentation of LT Distribution system at Indian Oil Bhawan.**

(2) **Name of the Department :** Electricity (11 KV Planning)

(3) **Brief History of the Project :**

The existing substation equipment at Indian Oil Bhawan, Janpath has served more than its useful life and is not techno economical to use as their parts are neither available in the market nor the same are manufactured by the company. Further switchgears are obsolete and not safe to use as the same are without any protection system. E.E.(M/N) time and again has emphasized for replacement of the same.

The estimate for (a) Replacement of HT/LT panels and (b) Augmentation of LT Distribution system at Indian Oil Bhawan amounting to Rs.25,67,500/- chargeable to E-3 and Rs. 8,81,000/- chargeable to E-4-1 respectively were got approved from the Council vide Reso. No. 3(XL), dated 26-5-1999. The work could not be executed due to site constraints. As the requirement of load in the adjoining area is increasing day by day, the estimate has been revised for the replacement of HT/LT panels and augmentation of the transformer capacity from 2 x 500 KVA to 1 x 1500 KVA and 1 x 1000 KVA and augmentation of LT distribution system at Indian Oil Bhawan.

Accordingly an estimate amounting to Rs. Rs.53,76,500/- against E-3 and Rs.10,10,000/- against E-4-1 has been framed for (a) Replacement of HT/LT panels and augmentation of transformer capacity at Indian Oil Bhawan and (b) Augmentation of LT Distribution system at Indian Oil Bhawan respectively.

(4) **Detailed proposal on the Project :**

It is the prime responsibility of Council to provide uninterrupted power supply to its various consumers. The proposed replacement of HT/LT panels and Augmentation of LT Distribution system at Indian Oil Bhawan shall facilitate uninterrupted power supply and shall meet additional load requirement of various consumers in the adjoining areas as the number of connections as well as the load requirement is increasing day by day. The benefit of the proposed system is difficult to express in monetary terms. However the cost incurred in the proposed system shall be beneficial in terms of efficient power distribution and recovered gradually by revenue increase as a result of sanction of additional load.

The following has been proposed in the estimate :

- (v) Replacement of HT/LT panels.
- (vi) Augmentation of transformer capacity from 2 x 500 KVA to 1 x 1500 KVA & 1 X 1000 KVA
- (vii) Augmentation of LT distribution system.

(5) Financial implications of the proposed project :

An estimate amounting to Rs. Rs.53,76,500/- against E-3 and Rs.10,10,000/- against E-4-1 has been framed for (a) Replacement of HT/LT panels and augmentation of transformer capacity and (b) Augmentation of LT Distribution system at Indian Oil Bhawan respectively.

(6) Implementation schedule with timeliness for each stage including internal processing :

The work is likely to be completed by June, 2008.

(7) Comments of the Finance Deptt. on the subject :

The Finance Deptt. has concurred to the proposed estimate subject to :

Approval of the competent Authority.

Availability of funds.

Work would be executed after adhering the codal provisions.

(8) Comments of the Deptt. on comments of Finance Deptt.

(i) Necessary approval is being sought from the competent authority.

(ii) Funds are available.

(a) E-3 for which a provision of Rs. 20 crores has been approved vide Budget Book 2007-08 Page No. 134 item No. 1 "Old equipments at various substations and earthings" and shall be revised suitably during R.E. 2007-08.

(b) E-4-1 for which a provision of Rs. 1 lac has been approved vide Budget Book 2007-08 Page No. 127 item No. 48(a) "Augmentation of LT at Indian Oil Bhawan" and shall be revised suitably during R.E. 2007-08.

(iii) Work would be executed after adhering the codal provisions.

(9) Legal implication of the Project :

No legal implication is involved.

(10) Details of previous Council Resolution :

The estimate for (a) Replacement of HT/LT panels and (b) Augmentation of LT Distribution system at Indian Oil Bhawan amounting to Rs.25,67,500/- chargeable to E-3 and Rs. 8,81,000/- chargeable to E-4-1 respectively were got approved from the Council vide Reso. No. 3(XL), dated 26-5-1999. The work could not be executed due to site constraints.

(11) Comments of L.A. on the project :

"No legal issue is involved. However, this has our concurrence".

(12) **Recommendation :**

The case may be noted to the Council for sanction of estimate amounting to Rs. Rs.53,76,500/- against E-3 and Rs.10,10,000/- against E-4-1 for (a) Replacement of HT/LT panels and augmentation of transformer capacity and (b) Augmentation of LT Distribution system at Indian Oil Bhawan respectively and also to accord administrative approval and expenditure sanction to the estimate.

(14) **Draft Resolution :**

Resolved by the Council that estimate amounting to Rs. Rs.53,76,500/- against E-3 and Rs.10,10,000/- against E-4-1 for (a) Replacement of HT/LT panels and augmentation of transformer capacity and (b) Augmentation of LT Distribution system at Indian Oil Bhawan respectively is sanctioned and A/A & E/S accorded.

COUNCIL'S DECISION

Resolved by the Council that administrative approval and expenditure sanction is accorded to the estimate amounting to Rs.53,76,500/- against E-3 and Rs.10,10,000/- against E-4-1 for (a) for replacement of HT/LT panels and augmentation of transformer capacity and (b) Augmentation of LT Distribution System at Indian Oil Bhawan.

ITEM NO. 16 (H-2)**1. NAME OF THE SUBJECT:**

Withdrawal of Council's Reso. No. 3(xxxi) dated 26.09.2002 and Reso. No. 20(H-16) dated 26.09.2003 regarding changes proposed in respect of Scale of pay and number of posts of Chief Engineer (Civil) & (Elect.) in N.D.M.C.

2. NAME OF THE DEPARTMENT

Personnel Department.

3. BRIEF HISTORY OF THE SUBJECT:

- (i) The Council vide Reso. No. 3(xxxi) dated 26.9.02 **(Annexure 'A') (See page 272)** decided that the pay scales of Chief Engineers (Civil/Elect) be revised with immediate effect and one post of SE(Elect) working in the scale of Rs.15800-21100 may be upgraded to the post of Addl. Chief Engineer (Elect.) in the scale of Rs.16700-22100. It was also decided that the pay scales of Chief Engineers (Elect./Civil) may be revised from Rs.16400-20000 to Rs.18400-22400, though in the last Council Meeting, the regular scale of Chief Engineer (Elect.) was approved at Rs.16700-22100.
- (ii) Subsequently, the Council vide Reso. No. 20(H-16) dated 26.09.2003 **(Annexure 'B') (See page 273)** consider to streamlining the work and ensure unity of command, decided to reorganize the department by downgrading one post of Chief Engineer to the post of Addl. Chief Engineer (Civil). The Council also approved the RRs for the post of Chief Engineer (Civil) and Addl. Chief Engineer (Civil).
- (iii) According to the revised RRs, against the two sanctioned posts of Chief Engineer (Civil), one post was sanctioned in the scale of Rs.18400-500-22400 from the existing scale of Rs.16400-450-20000. RRs for the post of Addl. Chief Engineer (Civil) for the single post provided in the pay scale of Rs.16400-450-20000 with method of selection by merit were also approved.
- (iv) Lastly vide Reso. No. 23(H-9) dated 14.02.2005 **(Annexure 'C') (See page 274)** Council reconsidered the above two Resolutions dated 26.09.2002 & 26.09.2003 and considering that the workload of the Civil Engg. Deptt. cannot be entrusted to a single Chief Engineer, it was felt that N.D.M.C. may continue with the existing RRs which were earlier notified in the Delhi Gazzete on 6.8.2002 and consequently to withdraw the said Resolution. It was also felt that consequential benefit of higher scale of pay granted to the employees, if any, pursuant to the above resolution but without proper notification in the official gazette decided that the Chairman N.D.M.C. shall constitute a Committee of the Officers to examine the issue and their report be placed before the Council for consideration.
- (v) Accordingly, the Chairperson, N.D.M.C. constituted a Committee consisting of F.A. (Chairperson) with Engineer-In-Chief and Director (P) as Convener. The said Committee in the meeting held on 7.2.2007 has recommended to withdraw a Council Resos. dated 26.09.2002 on the issue of revising of pay

scale of Chief Engineer (Civil/Elect.) from Rs.16400-20400 to Rs.18400-20400 also recommended that entitlements of Chief Engineers who were irregularly in the pay scale of Rs.18400-22400 be reviewed accordingly and excess amount, if any paid, be recovered and their pension be revised accordingly. The recommendations of the Sub-Committee are **ANNEXURE' D' (See page 275).**

- (vi) Similar issue was involved in the case of Sh. D.N. Gupta, Ex. Chief Engineer (Elect.). This case was considered by the Financial Advisor, N.D.M.C. at length vide note dated 15.06.2006, operative part of which runs as under: -

“It is very clear that the higher pay scale of Rs.18,400-22,400 were not justified in the case of CEs(Electric) because they were not borne on CPC scales. On the other hand, higher pay scale of Sh. D.N. Gupta, CE(E) as well as of Shri C.M. Pruthi, CE(C) were given without getting the recruitment rules notified through UPSC. In other words the promotion to higher pay scales lacked regularity. Thus, the decision to grant higher pay scales to the Chief Engineer and subsequent action to refix their pay in the higher pay scale were both unjustified and irregular”

The detailed finding of the F.A., N.D.M.C. in his note-dated 15.06.2006 is **ANNEXURE 'E' (See pages 276 – 277)**

4. DETAILED PROPOSAL ON THE SUBJECT:

The report of the Committee of Officers appointed by Chairperson, N.D.M.C. as per decision of the Council contained in Reso. No.23(H-9) dated 14.02.2005 is brought before the Council for consideration.

5. FINANCIAL IMPLICATIONS OF THE PROPOSED SUBJECT:

The proposal provides for consideration of the recommendations of the Committee of Officers dated 7.2.2007 constituted on the issue of withdrawal Council's Reso. No. 3(xxi) dated 26.09.2002 and Reso.No. 20(H-16) dated 26.09.2003 regarding revising the pay scale of Chief Engineers (Elect./Civil) from Rs.16400-20400 to Rs.18400-22400 and also that the entitlements of the Chief Engineers who were irregularly in the pay scale of Rs.18400-22400 be reviewed accordingly and excess amount, if any paid, be recovered and their pension revised accordingly.

6. IMPLEMENTATION SCHEDULE WITH TIMELINESS FOR EACH STAGE INCLUDING INTERNAL PROCESSING.

Immediately upon confirmation of the minutes of the Council, all the cases shall be processed for recovery of excess amount drawn due to grant of higher pay scale of Rs.18,400-22,400 by the incumbents as also to recover the excess amount of salary drawn by them and thereupon their pay will be refixed and pension amount re-determined. Higher amount of pension already drawn would also be recovered.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT:

It is recommended that the Council may consider the recommendations of the Committee of Officers dated 07.02.2007 on the issue of revising the pay scales of Chief Engineers (Civil/Elect.) and entitlement of Chief Engineers who were irregularly granted the pay scales of Rs.18400-22400 be reviewed and accordingly and excess amount, if any paid, be recovered and pension of the concerned officers be revised accordingly.

8. COMMENTS OF THE DEPARTMENT ON COMMENTS OF FINANCE DEPARTMENT.

Not Applicable.

9. LEGAL IMPLICATION OF THE SUBJECT:

There appears no provision in the N.D.M.C. Act, which permits withdrawal of Council's Reso. from a back date to the disadvantage of an employee.

10. DETAILS OF PREVIOUS COUNCIL RESOLUTIONS, EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THE SUBJECT:

1. Reso.No.3(xxxi) dated 26.09.2002.
2. Reso. No.20(H-16) dated 26.09.2003 and
3. Reso. No.23(H-9) dated 14.02.05.

11. COMMENTS OF THE LAW DEPARTMENT ON THE SUBJECT:

The Law Department has opined that the scale of Chief Engineers was upgraded to 5900-6700 in 1991. This was withdrawn in 1996. The argument for withdrawal of the scale was that the scale/post was not properly created and promotion not made through DPC. The Single Judge gave judgement in favour of Sh. Chetal and DB decided in favour of Sh. Chetal, but made it clear that this should not be treated as a precedent.

If N.D.M.C. was of the view in case Sh. Chetal case that grant of scale of Rs.5900-6700 was irregular, in the present case as well, it has to be irregular.

However, regarding withdrawal of dues already given or recovery, the courts have held that such recovery should not be made as the payment was not due to misrepresentation from the employees.

12. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF THE LAW DEPARTMENT.

Not applicable.

13. RECOMMENDATION:

It is recommended that the Council may consider recommendation of the Committee of the Officers dated 7.2.2007 recommending to withdraw Council's Reso. No.3(xxxi) dated 26.09.2002 on the issue of revising the scale of Chief Engineer (Civil/Elect.) from Rs.16400-20400 to Rs.18400-22400 and also entitlement of Chief Engineers who were irregularly in the pay scale of Rs.18400-22400 be reviewed according and excess amount if any paid be recovered and their pension may also be revised accordingly.

COUNCIL'S DECISION

Resolved by the Council that the Council's Reso. No. 3(xxxi) dated 26.09.2002 and Reso. No. 20(H-16) dated 26.09.2003 are hereby withdrawn.

Chief Engineer (Civil) & Chief Engineer (Electric) shall continue to draw their salaries as per their pay scales mentioned in the R.Rs.

Further resolved by the Council that in view of the Pension Rules, no recovery is to be effected from the officers who have been given higher scale and their pension fixed in higher scale.

ANNEXURES 272 – 277

ITEM NO.17 (H-3)**1. NAME OF THE SUBJECT:**

Regulations relating to the qualifications of candidates and manner of selection for appointments to posts referred to in Section 43(1)(c) of the N.D.M.C. Act, 1994; (in common parlance called "Recruitment Regulations"). (Civil Engg. Deptt.)

2. NAME OF THE DEPARTMENT

Personnel Department.

3. BRIEF HISTORY OF THE SUBJECT:

(II) Section 43(1)(c) of the N.D.M.C. Act, 1994 provides that the Council may make regulations in respect of the qualifications of candidates for appointment to the post of Secretary and Chief Auditor of the Council and of category "A" and category "B" posts included in the Schedule referred to in Section 34(1) of the Act, and the manner of selection for appointment to such posts. (These common parlance are called "Recruitment Regulations").

(III) Section 43(2) of the said Act further provides that no regulations referred to above shall be made except after consultation with the UPSC.

(IV) Section 387(2) of the said Act stipulates that no regulations made by the Council shall have effect until it has been approved by the Central Government and published in the Official Gazette.

Under the above provisions, N.D.M.C. is required to have the recruitment regulations notified for the post of Asstt. Engineer (Civil) in the pay scale of Rs.6500-200-10500 (Vth CPC), being Group 'B' post. The existing RRs were considered to be lacking with the provisions as per DOPT guidelines regarding the age limits for direct recruitment as well as other similar requirements. The RRs have been drawn afresh on the basis of notified RRs for the same post in MCD. However, method of recruitment has been determined as 75% by promotion (50% Diploma Holders and 25% from Degree Holders) failing which by deputation and 25% by direct recruitment. Similar amendments have been made in the case of recruitment by promotion deputation/absorption grade from which promotion/deputation/absorption is to be made. The composition of the

DPC has also been made as per guidelines of the DOPT. The revised RRs are placed below as **Annexure 'A' (See pages 281 – 284)**.

4. DETAILED PROPOSAL ON THE SUBJECT:

- i. With a view to expedite finalization of the Recruitment Regulations, it has been proposed to obtain approval of the Council to the above recruitment rules for the post of Asstt. Engineer (Civil).

5. FINANCIAL IMPLICATIONS OF THE PROPOSED SUBJECT:

There are no additional financial implications except those already provided in the Budget Estimate of the N.D.M.C.

6. IMPLEMENTATION SCHEDULE WITH TIMELINESS FOR EACH STAGE INCLUDING INTERNAL PROCESSING.

After the approval of the Regulations by the Council, the same shall be sent to UPSC within 15 days of the approval of the Council for obtaining their approval and thereafter to MHA for concurrence of the Central Government. Upon receipt of the approval from the MHA, the same shall be sent to the Government of NCT of Delhi for publication in the Official Gazette.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT:

Finance Department pointed out that the quota mentioned in the noting portion is not the same as shown in the draft R.R.

8. COMMENTS OF THE DEPARTMENT ON COMMENTS OF FINANCE DEPARTMENT.

The recommendations of E-In-C for the quota for the direct recruitment and promotion was discussed. It was decided to keep uniformity in the RR in MCD and the recommendations of E-In-C was not approved finally. The direct recruitment and promotion quota was to be kept 25% and 75% respectively as mentioned in the relevant column of the draft RR.

9. LEGAL IMPLICATION OF THE SUBJECT:

There are no legal implications.

10. DETAILS OF PREVIOUS COUNCIL RESOLUTIONS, EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THE SUBJECT:

Not applicable.

11. COMMENTS OF THE LAW DEPARTMENT ON THE SUBJECT:

Law Department has concurred in the proposal.

12. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF THE LAW DEPARTMENT.

In view of the concurrence of the Law Department, no comments are required.

13. RECOMMENDATION:

It is recommended that the Council may approve the Recruitment for the post of Asstt. Engineer (Civil) as per **Annexure 'I' (See pages 281 – 284)**.

14. DRAFT RESOLUTION:

Resolved by the Council that the Recruitment Regulations for the post of Asstt. Engineer (Civil), as per Annexure 'A' are approved with the directions that the same may be sent to UPSC and upon receipt of their approval, be referred to MHA seeking approval of the Central Government & thereupon to the Government of NCT of Delhi for publication in the Official Gazette. It is further resolved that further action be taken in anticipation of confirmation of the minutes.

COUNCIL'S DECISION

Resolved by the Council that the Recruitment Regulations for the post of Asstt. Engineer (Civil), as per Annexure 'A' are approved with the directions that the same may be sent to UPSC and upon receipt of their approval, be referred to MHA seeking approval of the Central Government & thereupon to the Government of NCT of Delhi for publication in the Official Gazette.

Further resolved by the Council that further action be taken in anticipation of confirmation of the minutes.

ANNEXURE 5 PAGES

ANNEXUR END

ITEM NO. 18 (C-18)**CONTRACTS/SCHEMES INVOLVING AN EXPENDITURE OF RS. 1 LAC BUT NOT EXCEEDING RS. 50 LACS.**

Section 143 (D) of NDMC Act, 1994 provides that every contract involving an expenditure of Rs. 1 lac but not exceeding Rs.50 lacs under clause 143 (c) shall be reported to the Council. In pursuance of these provisions a list of contracts entered/executed **in June 2007**, have been prepared. A Comprehensive list of the contracts entered into for the various schemes is accordingly laid before the Council for information. **(See pages 287 - 298).**

COUNCIL'S DECISION

Information noted.

Annexure pages

287 – 298

ANNEXURE END

Annexure of Item No. 4 (H-1) consisting of 14 pages

299 – 312

Annexure ends

ITEM NO. 19 (H-4)**1. NAME OF THE SUBJECT:**

Regulations relating to the qualifications of candidates and manner of selection for appointments to posts referred to in Section 43(1)(c) of the N.D.M.C. Act, 1994; (in common parlance called "Recruitment Regulations"). (Secretary's Estbl. Deptt.)

2. NAME OF THE DEPARTMENT

Personnel Department.

3. BRIEF HISTORY OF THE SUBJECT:

(V) Section 43(1)(c) of the N.D.M.C. Act, 1994 provides that the Council may make regulations in respect of the qualifications of candidates for appointment to the post of Secretary and Chief Auditor of the Council and of category "A" and category "B" posts included in the Schedule referred to in Section 34(1) of the Act, and the manner of selection for appointment to such posts. (These common parlance are called "Recruitment Regulations").

(VI) Section 43(2) of the said Act further provides that no regulations referred to above shall be made except after consultation with the UPSC.

(VII) Section 387(2) of the said Act stipulates that no regulations made by the Council shall have effect until it has been approved by the Central Government and published in the Official Gazette.

Under the above provisions, N.D.M.C. is required to have the recruitment regulations notified for the post of Dy. Director (earlier known as Assistant Secretary) and Section Officer, (earlier known as Office Superintendent), both being Group 'B' posts. The existing RRs for these posts are placed below as **Annexure A & B (See pages 316 - 317)**. **To enable reference to the UPSC, seeking their concurrence to the RRs for these two cadres, the new RRs for the post of Dy. Director and Section Officer are submitted to the Council for approval. These new RRs are placed below as Annexure C & D (See pages 318 - 319).**

4. DETAILED PROPOSAL ON THE SUBJECT:

With a view to expedite finalization of the Recruitment Regulations, it has been proposed to obtain revised approval of the Council to the above recruitment rules for the post of Dy. Director (earlier known as Assistant Secretary) and Section Officer, (earlier known as Office Superintendent).

5. FINANCIAL IMPLICATIONS OF THE PROPOSED SUBJECT:

There are no additional financial implications except those already provided in the Budget Estimate of the N.D.M.C.

6. IMPLEMENTATION SCHEDULE WITH TIMELINESS FOR EACH STAGE INCLUDING INTERNAL PROCESSING.

After the approval of the Regulations by the Council, the same shall be sent to UPSC within 15 days of the approval of the Council for obtaining their approval and thereafter to MHA for concurrence of the Central Government. Upon receipt of the approval from the MHA, the same shall be sent to the Government of NCT of Delhi for publication in the Official Gazette.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT:

Since no financial angle is involved, Finance Department has no comments to offer.

8. COMMENTS OF THE DEPARTMENT ON COMMENTS OF FINANCE DEPARTMENT.

In view of the above comments of Finance Department, no further comments are required.

9. LEGAL IMPLICATION OF THE SUBJECT:

There are no legal implications.

10. DETAILS OF PREVIOUS COUNCIL RESOLUTIONS, EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THE SUBJECT:

Not applicable.

11. COMMENTS OF THE LAW DEPARTMENT ON THE SUBJECT:

Law Department in their note dated 20.12.2006 has concurred in the proposal.

12. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF THE LAW DEPARTMENT.

In view of the concurrence of the Law Department, no comments are required.

13. RECOMMENDATION:

It is recommended that the Council may approve the Recruitment Regulations for the post of Dy. Director (earlier known as Assistant Secretary) and Section Officer, (earlier known as Office Superintendent).

14. DRAFT RESOLUTION:

Resolved by the Council that the Recruitment Regulations for the post of Dy. Director (earlier known as Assistant Secretary) and Section Officer, (earlier known as Office Superintendent) as per **Annexure C & D** are approved with the directions that the same may be sent to UPSC and upon receipt of their approval, be referred to MHA seeking approval of the Central Government & thereupon to the Government of NCT of Delhi for publication in the Official Gazette. It is further resolved that further action be taken in anticipation of confirmation of the minutes.

COUNCIL'S DECISION

Resolved by the Council that the Recruitment Regulations for the post of Dy. Director (earlier known as Assistant Secretary) and Section Officer, (earlier known as Office Superintendent) as per **Annexure C & D** are approved with the directions that the same may be sent to UPSC and upon receipt of their approval, be referred to MHA seeking approval of the Central Government & thereupon to the Government of NCT of Delhi for publication in the Official Gazette and action be taken in anticipation of confirmation of the minutes.

Further resolved by the Council that the department shall place before the Council the reasons for delay in placing the above RRs which was to be placed after the enactment of the NDMC Act, 1994.

Annexure 4 pages

Aneddure end

ITEM NO. 20 (H-5)**1. NAME OF THE SUBJECT:**

Regulations relating to the qualifications of candidates and manner of selection for appointments to posts referred to in Section 43(1)(c) of the N.D.M.C. Act, 1994; (in common parlance called "Recruitment Regulations"). (I.T. Deptt.)

2. NAME OF THE DEPARTMENT

Personnel Department.

3. BRIEF HISTORY OF THE SUBJECT:

(VIII) Section 43(1)(c) of the N.D.M.C. Act, 1994 provides that the Council may make regulations in respect of the qualifications of candidates for appointment to the post of Secretary and Chief Auditor of the Council and of category "A" and category "B" posts included in the Schedule referred to in Section 34(1) of the Act, and the manner of selection for appointment to such posts. (These common parlance are called "Recruitment Regulations").

(IX) Section 43(2) of the said Act further provides that no regulations referred to above shall be made except after consultation with the UPSC.

(X) Section 387(2) of the said Act stipulates that no regulations made by the Council shall have effect until it has been approved by the Central Government and published in the Official Gazette.

Under the above provisions, N.D.M.C. is required to have the recruitment regulations notified for different posts of IT Department. To enable reference to the UPSC seeking their concurrence to the RRs for these cadres the RRs are submitted to the Council for approval. **(See pages 323 - 332)**

4. DETAILED PROPOSAL ON THE SUBJECT:

With a view to expedite finalization of the Recruitment Regulations, it has been proposed to obtain revised approval of the Council to the above recruitment rules for different posts of IT Department, NDMC.

5. FINANCIAL IMPLICATIONS OF THE PROPOSED SUBJECT:

There are no additional financial implications except those already provided in the Budget Estimate of the N.D.M.C.

6. IMPLEMENTATION SCHEDULE WITH TIMELINESS FOR EACH STAGE INCLUDING INTERNAL PROCESSING.

After the approval of the Regulations by the Council, the same shall be sent to UPSC within 15 days of the approval of the Council for obtaining their approval and thereafter to MHA for concurrence of the Central Government. Upon receipt of the approval from the MHA, the same shall be sent to the Government of NCT of Delhi for publication in the Official Gazette.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT:

Finance Department has suggested to incorporate necessary qualification and test for the promotional segment.

8. COMMENTS OF THE DEPARTMENT ON COMMENTS OF FINANCE DEPARTMENT.

In view of the above comments of Finance Department, necessary provisions have been added.

9. LEGAL IMPLICATION OF THE SUBJECT:

There are no legal implications.

10. DETAILS OF PREVIOUS COUNCIL RESOLUTIONS, EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THE SUBJECT:

Not applicable.

11. COMMENTS OF THE LAW DEPARTMENT ON THE SUBJECT:

Law Department has concurred in the proposal.

12. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF THE LAW DEPARTMENT.

In view of the concurrence of the Law Department, no comments are required.

13. RECOMMENDATION:

It is recommended that the Council may approve the Recruitment Regulations for different posts of IT Department.

14. DRAFT RESOLUTION:

Resolved by the Council that the Recruitment Regulations for different posts of IT Department as per **Annexure (See pages 323 - 332)** are approved with the directions that RRs for the Group A & B posts may be sent to UPSC and upon receipt of their approval, be referred to MHA seeking approval of the Central Government & thereupon to the Government of NCT of Delhi for publication in the Official Gazette. Further resolved by the Council that the RRs for Group C posts are approved. It is also resolved that further action be taken in anticipation of confirmation of the minutes.

COUNCIL'S DECISION

Resolved by the Council that the Recruitment Regulations for different posts of IT Department as per **(Annexure)** are approved with the directions that RRs for the Group A & B posts may be sent to UPSC and upon receipt of their approval, be referred to MHA seeking approval of the Central Government & thereupon to the Government of NCT of Delhi for publication in the Official Gazette. Further resolved by the Council that the RRs for Group C posts are approved.

Further resolved by the Council that age limits for DEOs Grade B also to be kept 30 years and relaxation shall be available for govt. employees and NDMC employees.

CONSOLIDATED RECRUITMENT RULES FOR THE POST OF DATA ENTRY OPERATOR GRADE 'A' TO 'C' [AS PER RRS RECEIVED FROM GOVT. OF NCT OF DELHI.

01.	Name of the post	Data Entry Operator Grade 'A'	Data Entry Operator Grade 'B'	Data Entry Operator Grade 'C'
02.	No. of Posts	51 subject to variation dependent on workload	30 subject to variation dependent on workload	15 subject to various dependent on workload
03.	Classification	Group 'C' non-gazetted non-ministerial	Group 'C' non-gazetted non-ministerial	Group 'C' non-gazetted non-ministerial
04.	Scale of pay	Rs. 4000-100-6000	Rs. 4500-125-7000	Rs. 5000-150-8000
05.	Whether selection post or non-selection post	Not applicable	Selection	Selection
06.	Age limit for direct recruits	Below 25 years. Relaxable for Govt. servants of GNCT of Delhi in accordance with the instructions or orders issued on the subject by the Govt.	Below 25 years. Relaxable for Govt. servants of GNCT of Delhi (upto 40 years for general candidates and upto 45 years in respect of SC/ST candidates).	Below 30 years Relaxable for Govt. servants of GNCT of Delhi (upto 40 years in respect of SC/ST candidates)
07.	Whether benefit of added years of service admissible under rule 30 of the CCS (Pension) Rules, 1972.	Not applicable	Not applicable	Not applicable
08.	Educational & other qualifications required for direct recruits and promotions.	<p>Direct recruitment <u>Essential</u></p> <p>a) 12th Standard pass from a recognized institution/board or equivalent</p> <p>b) Should possess a speed of not less than 8000 key depressions per hour qualify the aptitude test.</p> <p><u>Desirable</u></p> <p>One year recognized certificate course in data</p>	<p>Direct recruitment</p> <p>(i) Degree of recognized university or equivalent</p> <p>OR</p> <p>Three years diploma in computer Engg./digital electronics or Electronics & Communications Engg. With computer application/programming as a subject.</p> <p>(ii) Should possess a speed of not less than 8000 key depressions per hour for data entry work and should qualify the aptitude test.</p> <p><u>Promotion</u></p>	<p>Direct recruitment</p> <p>1) a) Degree of recognized university or equivalent.</p> <p>OR</p> <p>b) Diploma in computer Engg. Of three years duration from a recognized institution with 1 year's experience of electronic data processing</p> <p>OR</p> <p>c) Degree in computer Engg. From a recognized Institution/University</p> <p>And Should possess a speed of not less</p>

		<p>preparation & computer software or equivalent from a recognized institution.</p> <p><u>Promotion</u></p> <p>The candidate must possess the qualification prescribe of direct recruitment. The candidate in the promotion segment do not meet the educational criteria listed in column should at least, have passed a technical examination from a recognized institution to be prescribed by the Chairman, NDMC.</p>	<p>The Candidate must possess the qualification prescribed for direct recruitment. If the candidate in the promotion segment do not meet the educational criteria listed above must pass a technical examination from a recognized institution as recognized by a Committee constituted by the Chairperson NDMC.</p>	<p>then 8000 key depressions per hour for data entry work.</p> <p>Promotion: The Candidate must possess the qualification prescribed for direct recruitment. The candidate in the promotion segment do not meet the educational criteria listed in column should at least, have passed a technical examination from a recognized Institution to be prescribed by the Chairperson, NDMC.</p>
9.	Whether age & educational qualifications prescribed for direct recruits will apply in the case of promottees.	Not applicable	Age limit: No EQ : No	Age limit: No EQ : No
10.	Period of probation, if any	Two years	Two years	Two years
11.	Method of recruitment Whether by direct recruitment Or by promotion or by deputation/absorption & percentage of the posts to be filled by various methods.	<p>By direct recruitment 80% and 20% by departmental promotions with same qualifications</p> <p>Note: Posts caused by the incumbent being away on deputation or long leave or study leave or under other circumstances for a duration of one year or more may be filled on deputation from</p>	<p>50% by promotion failing which by direct recruitment</p> <p>50% by direct recruitment</p>	<p>50% by promotion failing which by direct recruitment</p> <p>50 % by direct recruitment</p>

		the officials of the Central Govt./Govt. of NCT of Delhi holding analogous posts on regular basis and possessing the qualifications prescribed for the direct recruits under Col No. 8.		
12	In case of recruitment By promotion/deputation/absorption, grades from which promotion/deputation/absorption to be made	Not applicable	Promotion Data Entry Operator Grade 'A' with 5 years regular service in the grade.	Promotion Data Entry Operator Grade 'B' with 3 years regular service in the grade.
13	If a DPC exists, what is its composition	Not applicable	Group 'C' DPC Secretary (Chairman), Director (P), Director (IT), Director (Finance), Director (Liaison), Director (Vigilance)	Group 'C' DPC Secretary (Chairman), Director (P), Director (IT), Director (Finance), Director (Liaison), Director (Vigilance)
14	Circumstances in which UPSC to be consulted in making recruitment.	Not applicable	Not applicable	Not applicable

Annexure 7 pages

Annexure ends

ITEM NO. 21(A-23)**1. Name of the subject/project.**

Redevelopment of Connaught Place: Restoration of façade of 'C' Block (sample block).

2. Name of the department/departments concerned.

Civil Engineering Department, Project Team Connaught Place.

3. Brief history of the subject/project.

- (a) Connaught Place is an important & most visible symbol of Lutyen in Delhi. The complex was designed & developed as the Central Business district. All major services like water supply, sewer, storm water drains and power cables were laid along middle circle. To meet ever increasing demands of shopkeeper, extensive parking areas were created all along inner, middle, outer circle and the radials, power demands also shot up requiring installation of additional sub-stations. Extensive telephone connections by Telecom department also added to the maze of cables wires of TV, Internet etc. damaging the building façade. Though there are NDMC (Pasting of Bills and advertisements), Bye laws 1992, no sincere attempt was ever made to discipline the shopkeeper, thereby signages of different shapes, sizes and colours are hung all over. All these development have put the Connaught Place under lot of pressure. Public amenities are generally poor & lacking in inner circle. In the year 2002, DMRC amended plans to build Metro rail corridors with an underground inter change station under Central park & Connaught Place. This has encouraged large number of visitors to come to Connaught Place. Meanwhile Delhi has offered to host Commonwealth Games-2010, which would also require major improvements to be carried out in the prestigious shopping center.
- (b) NDMC has taken up the Redevelopment of Connaught Place which mainly consists of Restoration of Façade of all blocks of Connaught Place, Circulation Plan, Parking lots, Improvement/Augmentation of Engineering Services, Subways etc.
- (c) It was decided by Empowered Committee that 'C' block be taken up as Sample block for restoration of façade (front & sides) being the smallest block. Accordingly, M/s EIL after studying the existing site conditions prepared the Preliminary Estimate for Rs. 1,81,03,300/-.

- (d) The proposal has been cleared by Heritage Conservation Committee on 27th Feb.'06 & Delhi Urban Art Commission on 1st Nov.'06.
- (e) The Preliminary Estimate does not include Building signages as the cost of signages has to be borne by the occupants.
- (f) The Preliminary Estimate was placed before the Council vide Agenda Item No. 1(A-36) for accord of Administrative approval & Expenditure sanction on 20/29 Dec.'06.
- (g) It was resolved by the Council in principle that Administrative approval and Expenditure sanction to the Preliminary Estimate amounting to Rs. 1,81,03,300/- is accorded for the work of restoration of façade of 'C' block (sample block) under Redevelopment of Connaught Place.
- (h) It was further resolved by Council that a meeting of stakeholders/tenants of 'C' block with Chairperson/Vice-chairperson be organized and the proposal be got before them for considering the option for implementation of project with their participation.
- (i) Accordingly the tenders were invited and opened on 23 Mar.'07. Three bidders quoted their rates as under:-

S. No.	Firms	Estimated Cost	Amount quoted	% Above/ Below Estimated Cost
1	M/s India Guniting Corporation	1,67,54,500/-	2,69,13,728/-	+ 60.64% (L3)
2	M/s Devi Construction	1,67,54,500/-	1,99,40,445/-	+19.02% (L1)
3	M/s Winner Construction Private Ltd	1,67,54,500/-	2,27,19,093/-	+35.60% (L2)

- (j) As can be seen from the above by M/s Devi Construction at 19.02% above the estimated cost of Rs.1,67,54,500/- with the total quoted amount of Rs. 1,94,40,445/- is the lowest bidder. The justification is 22.5% above the estimated cost after taking into account the difficulty factory of 6% based on the elements taken in NIT conditions. The Finance Department has not

agreed for difficulty factor of 6% and advised to conduct negotiation with lowest bidder to bring down the rates below justified rate of 15.59% worked out without difficulty factor of 6%.

- (k) Consequent to the advise of Finance Department the negotiation was conducted with the lowest bidder under the Chairmanship of E-in-C on 14 Jun.'07. M/s Devi Construction expressed their inability to reduce the rates keeping in view the nature of work involved in Central Business district.
- (l) The lowest offer thus stands at 19.02% above the estimated cost of Rs.1,67,54,500/- against the justification of 15.59% above estimated cost. The lowest offer after techno-commercial evaluation by the lead consultant M/s EIL has recommended acceptance of the offer.
- (m) As far as the Council Resolution regarding involvement of stakeholders in implementation/funding of the project is concerned a meeting was held by Chairperson & Vice-chairperson alongwith stakeholders on 18 Jan.'07. The details of cost of restoration worked out based on electricity consumption & per bay/area of façade were given to the New Delhi Trader's Association but till date no positive response has been received from them. Another meeting was held on 12 Jun.'07 under the chairmanship of Chairperson in which Vice-Chairperson and Representatives of NDTA were present. The matter regarding cost sharing was discussed in detail in both these meetings and all the information asked by NDTA has since been given to them. **In fact there does not appear to be consensus among the members of NDTA regarding cost sharing so decision on this issue has to be taken by Council whether to proceed further or not being a sample block only.** Since the proposed Redevelopment Plan of Connaught Place can be covered under "**Redevelopment of inner city area**" and "**Development of heritage areas**" so the project has already been posted for funding under the JNNURM scheme. Besides a Co-ordination Committee with members from NDTA & NDMC has been formed by Chairman, NDMC to resolve the Issue include other major issues like Traffic & Parking etc. The discussion on the subject matter with stakeholders is still going on and at a later date when the stakeholders agree to participate in funding of the project the same will get adjusted towards the project cost.

4. Detailed proposal on the subject/proposal

Restoration of façade of 'C' block include dismantling of existing windows, RCC Jali, plaster, cornices etc. After dismantling the façade will be restored to shape as per original drawings. Major items involved in restoration of façade are as follows:-

- (a) Replacement of existing windows & frames with Burma Teak of uniform design & size include superior quality painting.
- (b) RCC jali below FF window & wrought Iron railing.
- (c) Replacement of plaster & painting with superior quality exterior paint.
- (d) Plaster of paris and plastic emulsion paint on roof of corridor.
- (e) Granite flooring.
- (f) Corridor lighting.
- (g) Façade lighting.
- (h) Replacement of Electric Meter boxes with stainless steel boxes.
- (i) Replacement of cables from feeder pillars upto consumer end.
- (j) Misc. works like sleeves in flooring, Rain water pipes etc.

5. Financial implications of the proposed project/subject:

The financial implications of the tender comes to Rs. 1,99,40,445/-. The necessary funds are available to meet the expenditure of this work during the current financial year. A budget provision exists of Rs. 60 crores under head H.1.8 vide item no. 320, P-166.

6. Implementation schedule with timelines for each including internal processing:

- ◆ Award of Work : Jul.'07
- ◆ Execution of work : Aug. '07-Feb'08

7. Comments of the Finance Department on the subject

- (a) The Finance has got no objection to Department's proposal of award of work to the lowest bidder at the quoted rate of 19.02% above Estimated cost with tender cost of Rs. 1,99,40,445/-.
- (b) The Finance Department has further observed that as per Council Resolution a meeting with Stakeholders/tenants of 'C' block was to be held and proposal brought before them for considering option for implementation of project with

their participation. The department has further observed that since similar improvement works are proposed to be taken up for other blocks also with involvement of huge expenditure so proposal relating to the cost sharing in compliance of decision of Council may be brought before the Council simultaneously so that decision to accept the tender can be taken before committing any liability in view of the cost sharing aspect.

8. Comments of the department on comments of Finance department.

As far as the Council Resolution regarding involvement of stakeholders in implementation/funding of the project is concerned a meeting was held by Chairperson & Vice-chairperson alongwith stakeholders on 18 Jan.'07. The details of cost of restoration worked out based on electricity consumption & per bay/area of façade were given to the New Delhi Trader's Association but till date no positive response has been received from them. Another meeting was held on 12 Jun.'07 under the chairmanship of Chairperson in which Vice-Chairperson and Representatives of NDTA were present. The matter regarding cost sharing was discussed in detail in both these meetings and all the information asked by NDTA has since been given to them. **In fact there does not appear to be consensus among the members of NDTA regarding cost sharing so decision on this issue has to be taken by the Council whether to proceed further or not being a sample block only.** Since the proposed Redevelopment Plan of Connaught Place can be covered under "**Redevelopment of inner city area**" and "**Development of heritage areas**" so the project has already been posted for funding under the JNNURM scheme. Besides a Co-ordination Committee with members from NDTA & NDMC has been formed by Chairman, NDMC to resolve the Issue includ other major issues like Traffic & Parking etc. coming under overall Redevelopment Plan of Connaught Place. The discussion on the subject matter with stakeholders is still going on and at a later date when the stakeholders agree to participate in funding of the project the same will get adjusted towards the project cost.

9. Details of previous Council Reso. existing Law of Parliament and Assembly on the subject:

Vide Agenda Item No. 1(A-36) dated 20 Dec.'06 it has been resolved by the Council in principle that administrative approval and expenditure sanction to the Preliminary Estimate amounting to Rs.1,81,03,300/- is accorded for the work of Restoration of Façade of 'C' Block (sample block) under Redevelopment of Connaught Place. Further resolved by the council that a meeting of the stakeholders/tenants of 'C' Block with Chairperson/ Vice-Chairperson be organized and the proposal be brought before them for considering options for implementation of project with their participation.

10. Comments of the Law Department on the subject/project.

No comments in view of Empowered Committee recommendations that offer of lowest bidder be placed before the council for acceptance & accord of regular Administrative Approval & Expenditure Sanction for Rs.1,99,40,445/-

11. Comments of the Department on the comments of the Law Deptt. :

No comments.

12. Recommendations.

Being a sample block the case is placed before the Council for consideration & approval to accept the lowest offer of M/s Devi Construction i.e. 19.02% above the Estimated Cost of Rs.1,67,54,500/- with tendered amount of Rs. 1,99,40,445/- & to accord the administrative approval and expenditure sanction of Rs.1,99,40,445/-.

COUNCIL'S DECISION

Resolved by the Council that administrative approval and expenditure sanction of the amount of Rs.1,67,54,500/- is accorded and that the lowest offer of M/s Devi Construction i.e. 19.02% above the Estimated Cost of Rs.1,67,54,500/- with tendered amount of Rs. 1,99,40,445/- is accepted.

Further resolved by the Council that the New Delhi Traders Association letter dated 18th July, 2007 be taken on record. After receipt of funds from New Delhi Traders Association, the project cost be reduced accordingly, after physical completion of the work.

ITEM NO. 22 (A-24)

1. **NAME OF THE SUBJECT/PROJECT**
Rehabilitation of Safdarjung Flyover, New Delhi.

2. **NAME OF THE DEPARTMENT CONCERNED**

Civil Engineering Department

3. **BRIEF HISTORY OF THE SUBJECT/PROJECT**

The Safdarjung Flyover, Aurvindo Marg, New Delhi was Constructed in 1974. The flyover with the total length of 610m is situated over the ring railway line of Delhi. The flyover runs from South (All India Institute of Medical Science) side to North (Safdarjung Tomb) side. The super structure consists of two independent carriageway each having the width of 14.55m & 2.55m wide footpaths each side. The superstructure is supported on pie shaped column consisting of transverse cross –beam for resting of neoprene bearings with abutment on either side of the flyover. Necessity was felt to rehabilitate the flyover as such M/s Consulting Engineering Services were appointed Consultants for conducting conditions survey/special inspection of the flyover. They have submitted their final report which has been accepted by the Chairperson, NDMC.

The detail of utilization of space under the Safdarjung Flyover is given as under:-

(A) **Jor Bagh side upto Railway line**

- (i) Cement Godown of NDMC
- (ii) Handicraft Emporia (6 nos)
- (iii) Godown of Elect. Deptt.

(B) **Beyond Railway Line (INA side)**

- (iv) The major portion of this side has been leased out to Central Warehousing Corporation by NDMC for Godowns.
- (v) Vikas Sadan side, the open area between slip road and CWC godown is being used by NDMC for keeping old impounded vehicles.
- (vi) On Laxmi Bai Nagar Market side, the open area adjoining flyover is being used.
 - a. For NDMC Auto Wokshop (with a small portion below the flyover)
 - b. As godown by Enforcement Deptt.
 - c. There is a Mandir on the road side of Enforcement godowns.

The details of allotment of space below the flyover, as given by Director (Estate) are a under :

SI no	Name of allottee/firm	Area	Revenue Per month	Date of allotment
1.	M/s Padam Jewellers	5398 sq.ft.	Rs.81532	24.8.1989
2.	M/s Padam Jewellers	7954 sq.ft.	Rs.125022	01.9.1989
3.	M/s Mughal Jewellers	3851 sq.ft.	Rs.83126	07.10.1989
4.	M/s Indo Cottage Emporium	2423 sq.ft.	Rs.61925.	24.8.1991
5.	M/s Subhash Chand Jain	3851 sq.ft.	Rs.83942	19.8.1990
6.	Central Ware Housing Corporation	25810 sq.ft.	3,40,096	1.06.1976

Director (Estate) has been separately requested to get the showroom vacated for execution of the work.

M/s Consulting Engineering Services were appointed Consultants for conducting conditions survey/special inspection of the flyover. The fees payable to them for part 'A' pertaining to condition survey/special inspection, preparation of the report, estimate and tendered documents etc. is Rs.5,80,000/- and the fee payable for part "B" for broad inspection during execution of the work is Rs.2,00,000/-.

A/A and E/S for Rs.1,80,58,000/- has been accorded by the Council for the above cited work vide its Reso. No 2(A-12) dated 19.7.06. The estimate was based on the recommendations of M/s Consulting Engineering Services who were appointed as Consultants for conducting conditions survey/special inspection of the Flyover.

The Detailed Estimate was technically sanctioned by CE(C-II) for Rs. 1,85,07,000/-. The amount of A/A & E/S included the cost of Micro sealing. It was desired by E-in-C that decision regarding removal of existing bitumen treatment or providing micro sealing shall be taken after detailed inspection of the flyover.

The Draft NIT was approved by E-in-C for Rs.1,80,06,878/- . The scope of the work mainly consists of following:

- a. Replacement of existing expansion joint
- b. Replacement of all the elastomeric bearings
- c. Repair of cracks and spalled concrete
- d. Improvement to drainage.

Tenders were invited in three cover system incorporating therein condition for post qualifications of tenderers. Tenders were invited keeping the date of receipt of application,

sale of tenders and receipt of tenders as 5.2.07,7.2.07 and .9.2.07 respectively. Only three firms came up for purchase of tender documents and the tenders were issued to them. However, two firms namely M/s FPCC Co. Ltd. M/s J Sons Co. Lt. Requested for extension of time in submission of tenders on the ground that they required more time to fill up the tenders. Accordingly, the date of receipt of tenders was extended to 20.2.2007. The tenders were received and opened on 20.2.2007, when it was found that all the three firms, who had purchased the tenders, had submitted their offers. The names of the said three firms are as under:-

1. M/s Freyssinet Prestressed Concrete Co. Ltd.
2. M/s J. Sons Co. Ltd.
3. M/s Rebuild Struct Associates .

The first cover containing the earnest money and the certificate regarding unconditional tender and the second cover containing the post-qualification documents were opened on 20.2.2007. The third covers containing the financial bids were kept in the safe custody of E.E.(C-I).

The above said three firms met with the pre-qualification criteria and as such were pre-qualified as per orders of E-in-C. Thereafter the pre-bid conference was held in the Conference Room on 23.3.07. The financial bids were opened on 29.3.07 when the position emerged out as under:-

Sr.no.	Name of firm	Estimated cost	Tendered amount	%age above
1.	M/s FPCC Ltd.	Rs.1,80,06,878/-	Rs.2,34,13,815/-	30.20%
2.	M/s J.Sons Co. Ltd	Rs.1,80,06,878/-	Rs.2,28,06,975/-	26.65%
3.	M/s Rebuild Struct Associated	Rs.1,80,06,878/-	Rs.2,37,47,050/-	31.88%

M/s J.Sons Co. Ltd. had quoted the lowest rate of 26.65% above the estimated cost of Rs.1,80,06,878/- as put to tender; tendered amount being Rs.2,28,06,975/-.

The Consultants had worked out the justification of rates for 14.75% above the tendered estimated cost. In addition they had recommended that D VAT @ 8% be allowed over this justification. They had opined that overall tendered cost was considered to be justified. However, they had recommended negotiations with the contractor to get the rates of certain items reduced.

The justification of rates was checked in Planning for 19.24%. The SE(P) had recommended negotiations with the lowest contractor to explore the possibility of reduction in rates to the extent possible.

Negotiations were conducted with the lowest contractor in the chamber of E-n-Chief on 6.4.07. It was felt that the contractor will have to incur extra expenditure on account of education cess, slow progress of work due to the difficult site conditions, specially due to the showrooms below the flyover and regulation of traffic during execution of the work.

Taking into account the aforesaid factors, the justification of rates worked out to 22.69% above the estimated cost which was duly checked by planning. After great persuasion, the contractors M/s J Sons Co. Ltd gave a voluntary rebate of 1.25% on their tendered rates. The negotiated tendered amount worked out to Rs.2,25,21,888/- i.e. 25.07% above the estimated cost put to tender.

4. DETAILED PROPOSAL OF THE SUBJECT

The proposal by the consultants covers the following areas of the repairs.

- a. Repair of cracks and spalled concrete:- M/s CES have recommended crack sealing and pressure grouting with the aim of stopping seepage and ingress of moisture and further corrosion deterioration of steel which is essentially required.
- b. Replacement of existing expansion joints:- The present angle iron expansion joints have given way – as such M/s CES have recommend replacement of the existing angle iron expansion joints strip seal type expansion joints.
- c. Replacement of all the elastomeric bearings: some of the bearing have been damaged and exact assessment of damages not feasible, the Consultants have recommended Replacement of 100% bearings to avoid unequal settlement.
- d. Replacement of wearing surface:- The consultant have recommended removal of existing 75 mm+25mm wearing course from the concrete deck and replace with 40 mm +25 mm wearing course. The removal process is tedious, time consuming and likely to be expensive as such it has been proposed to provide micro surfacing which appears more appropriate after inspection of the surface of the deck of the flyover during execution of the work.

- e. Improvement to drainage: The proposal by consultant is acceptable.

5. **FINANCIAL IMPLICATION OF THE PROPOSED SUBJECT/ PROJECT.**

A/A and /ES for an amount of Rs.1,80,58,000/- was accorded by the Council vide its Resolution No 2 (A-12) dated 19.7.06. A Budget provision of Rs.1.00 crore exists in Budget Book for the year 2007-08 for the work of Repair/Rehabilitation of Safdarjung Flyover vide item No 192/P-162 under the head H-1-8.

6. **IMPLEMENTATION SCHEDULE WITH TIME LIMIT FOR EACH STAGE INCLUDING INTERNAL PROCCSSING:-**

Award of work	July 2007
Execution of completion of work	April 2008

The time allowed for completion of work has been taken as nine months for carrying out the work each carriage-way will have to be closed to the traffic for a period of 4 1/2 months in co-ordination with the police Authorities.

7. **COMMENTS OF THE FINANCE DEPARTMNT OF THE SUBJECT"**

Having regard to the importance of this Rehabilitation work, we agree with the recommendations of E-in-C at P-51/N read with negotiation note at P-48/N to accept the negotiated offer of L-I i.e M/s J Sons Co. Ltd., at 25.07% above the estimated cost- tendered cot Rs.2.25,21,888/- (Rupees two crores twenty five lac twenty one thousand eight hundred eighty eight only) subject to (1) suitable extension of validity period (2) firm gets itself registered with D-VAT before the release of the firs running bill (3) required certificate from the Chartered Accountant regarding no loss incurred during last five years and (4) the tendered cost being in excess of permissible limit of 10% of A/A and E/S, revised A/A & E/S is got approved from the competent authority within the laid down time limit.

8. **COMMENTS OF THE DEPARTMENT ON COMMENTS OF FINANCE DEPARTMNT:-**

- (1) M/S J.Sons Co. Ltd. had extended the validity of their offer up to 30.7.07.

M/S J.Sons Co. Ltd. Submitted a copy of letter regarding issuance of TIN No LC/084/07760232466/0600 by Sales Tax Deptt. New Delhi.

The firm has submitted a certificate, from their Chartered Accountant to the effect that company is regularly showing profit in its annual account since 31st March 2000 to 31st March 2006.

Revised A/A and E/S for Rs.2,55,20,900/- is being sought from the Council along with approval of tender.

9. **LEGAL IMPLICATION OF THE SUBJECT/PROJECT**

Note applicable.

10. **DETAILS OF PREVIOUS COUNCIL RESOLUTION, EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THE SUBJECT.**

1. A/A and E/S for Rs.1,80,58,000/- has been accorded by the Council for the above cited work vide its Reso. No 2(A-12) dated 19.07.06 when it was also resolved as under.

- It was decided to coordinate with the DMRC who have a future plan of METRO Rail on this route.
- It was also decided that Director (Estate) will submit a report on encroachment by owners of showrooms below the flyover and give a reorganization plan for these showroom during the construction.

DMRC has sent us a copy of the route plan of METRO Rail on the route. The METRO Rail on this route is underground and is not falling in the alignment of the Safdarjung Flyover.

Director (Estate) has been requested to reorganize the showrooms during construction.

11. **COMMENTS OF LAW DEPARTMENT ON THE SUBJECT/PROJECT:**

At this stage, no legal point is involved. However, this has our concurrence.

12. **COMMENTS OF THE DEPARTMENT ON THE COMENTS OF LAW DEPARTMENT**

The Law Department has concurred in the proposal.

13. RECOMMENDATION

It is recommended that the lowest negotiated offer of M/s J.Sons Co. Ltd. 25.07% above the estimated Cost of Rs.1,80,06,878/- may be accepted by the Council for a total tendered value of Rs.2,25,21,888/-

The total tendered value works out to Rs.2,25,21,888/- whereas A/A and E/S was accorded by the Council for Rs.1,80,58,000/-. The tendered value is more than 10% of the amount of A/A and E/S as such it is recommended that the revised A/A and E/S for an amount of Rs.2,55,20,900/- may also be accorded by the Council.

Further, resolved that revised A/A and E/S for an amount of Rs.2,55,20,900/- for this work may be accorded.

COUNCIL'S DECISION

Resolved by the Council that the lowest negotiated offer of M/s J. Sons Co. Ltd. 25.07% above the estimated cost of Rs.1,80,06,878/- for a total tendered value of Rs.2,25,21,888/- is accepted.

Further resolved by the Council that Revised administrative approval and expenditure sanction for an amount of Rs.2,55,20,900/- which is 10% more of tendered value is accorded.

ITEM NO. 23(N-1)**NAME OF THE SUBJECT/PROJECT**

Annual Estimate for the work "Maintenance of Parks & Gardens" for the year 2007-08.

NAME OF THE DEPARTMENT/DEPARTMENTS CONCERNED.

Horticulture Department, NDMC

BRIEF HISTORY OF THE SUBJECT/PROJECT

The Horticulture Department of NDMC is maintaining the Parks, Gardens and green spaces in the NDMC area which include (i) Major Parks like Lodi Garden, Nehru Park, Talkatora Garden, Sanjay Jheel and Park (ii) Colony & other parks, (iii) Roundabouts & (iv) avenue trees and roadberms. In addition, greens of schools and buildings of NDMC are also looked after by the department.

The annual estimate for maintenance is submitted by the department to the Council every year for approval.

DETAILED PROPOSAL ON THE PROJECT/SUBJECT

Preliminary Estimate amounting to Rs. 2,74,72,8564/- was prepared by the department for meeting the annual maintenance requirements of various parks, gardens and other green areas. The said estimate includes provision for payment of un-filter water charges to CPWD and purchase of sundries, compost, inorganic & organic manure, fertilizers, earthen as well as RCC pots, payments to casual labourers, pipes for watering, purchase of planting materials as per seasonal requirement for trees, shrubs, annuals etc., polythene bags, insecticides, pesticides, repair of Tool & Plants, purchase of fuel for machinery, hiring of tempos, JCB and water tankers, and adjustment of electric/water charges raised by the Commercial department.

Finance department agreed for Rs.240 lakh (Rupees two crore forty lakh).

FINANCIAL IMPLICATIONS OF THE PROPOSED/ PROJECT/ SUBJECT

Rupees 240 lakh (Rupees two crore forty lakh only).

IMPLEMENTATION SCHEDULE WITH TIMELINESS FOR EACH STAGE INCLUDING INTERNAL PROCESSING.

NOT APPLICABLE

COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT

Finance Department has agreed for Rs. 240 lakh (Rupees two crore forty lakh) i.e. actual expenditure of last year + 25% on account of increase in cost of input and the level of maintenance of parks etc. proposed to be upgraded this year as emphasized by Director (Hort) subject to the condition:

- That requirement of Horticulture Department may be reassessed at RE stage.
- Proper record of expenditure sub-head wise having regard to the norms as applicable be maintained.
- Vehicle History Register indicating use of the machinery provided and also consumption of petrol thereof may also be maintained.
- Director (Hort) may earmark provision of funds for sub-heads as kept in the estimate out of the amount of PE – Rs. 240 lakh being agreed to.

COMMENTS OF THE DEPARTMENT ON COMMENTS OF FINANCE DEPARTMENT:-.

8. The actual requirement of the department will certainly be reassessed at RE stage.
9. Proper head wise record will be maintained.
10. Vehicle History Register indicating use of the machinery provided and also consumption of petrol thereof will also be maintained.
11. Allocation of funds for sub-heads has been done for the Preliminary Estimate amounting to Rs.240/- lakh after reducing the amount in few heads.

LEGAL IMPLICATION OF THE SUBJECT/PROJECT.

There is no legal implication in this case.

DETAIL OF PREVIOUS COUNCIL RESOLUTIONS, EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THE SUBJECT.

Estimate for the year 2006-07 was sanctioned by the Council vide Reso. NO.7 (N-I) dated 15.11.2006.

COMMENT OF THE LAW DEPARTMENT ON THE SUBJECT /PROJECT

Law department has concurred in the proposal of the department.

COMMENT OF THE DEPARTMENT ON THE COMMENTS OF LAW DEPARTMENT.

No comments.

RECOMMENDATIONS

Recommended for according Administrative approval and expenditure sanction to estimate amounting to Rs.240 lakh (Rupees two crore forty lakh only) for the work Maintenance of Parks & Gardens during 2007-08.

DRAFT RESOLUTION

Resolved by the Council that Administrative approval and expenditure sanction is accorded to estimate amounting to Rs.240 lakh (Rupees two crore forty lakh only) for the work of Maintenance of Parks & Gardens during 2007-08. Resolved further that action on the item may be taken pending confirmation of the minutes of the meeting.

COUNCIL'S DECISION

Resolved by the Council that Administrative approval and expenditure sanction to estimate amounting to Rs.240 lakh (Rupees two crore forty lakh only) is accorded for the work of Maintenance of Parks & Gardens during 2007-08.

Further resolved by the Council that action on the item may be taken pending confirmation of the minutes of the meeting.

ITEM NO. 24 (H-6)

1.	Name of the subject/project	Enhancement of age of superannuation of Specialist doctors in NDMC from 60 to 62 years.
2.	Name of the department/departments concerned	Personnel Department – Health Establishment
3.	Brief history of the subject/project	<p>Ministry of Health and Family Welfare Govt. of India vide orders dated 16.11.2006 has enhanced the age of superannuation of Specialist doctors of Central Health Service belonging to (i) Teaching; (ii) Non-Teaching; (iii) Public Health sub-cadres from 60 years to 62 years with immediate effect. (Annexure A, See page 351)</p> <p>The same has also been adopted by the Municipal Corporation of Delhi vide O.O. No. Supdt.(M) / CED (M)/2006/R.K./76 dated 18.12.06. (Annexure B See page 352)</p> <p>The Govt. of NCT of Delhi has also forwarded these orders to Dean MAMC, Director DHS, G.B. Pant, DFW all the Medical Supdt. of Hospital under GNCT of Delhi vide No. 6/50/2006/H&F/W/4711-20 dated 07.12.2006</p>
4.	Detailed proposal on the subject	Age of superannuation of Specialist doctors in NDMC be also enhanced from 60 to 62 years on the analogy of C.H.S., Govt. of NCT of Delhi and MCD. Only Specialists (non Teaching) like Physician, Surgeon, Gynecologist, Anaesthetist, ENT Specialist, Epidemiologist, Radiologist etc. will be covered under these orders
5.	Financial implications of the proposed project/subject	<p>Nil</p> <p>(Almost all the Specialist are drawing maximum pay and stagnation increments at present or by the time of their retirement at the age of 60 years.)</p>
6.	Implementation schedule with timeliness for each stage including internal processing.	Not applicable
7.	Comments of the Finance Department on the subject	<p>The finance department has commented as under : “On perusal of the Draft Agendum, it is revealed that there are no financial implications of the proposal as per para 5 of the Agendum. So, we have no objection to the proposal of the Department for enhancing the age of superannuation of Specialist Doctors in NDMC belonging to teaching, non-teaching & Public Health sub-cadres from 60 years to 62 years as per GOI/MH&FW order dated 16.11.2006.”</p> <p>The finance department has advised incorporation of certain details in column 4,9,11 & 12</p>
8.	Comments of the Department on comments of Finance Department.	Observations of the Finance deptt. have been complied in the draft agendum in Col. No. 4 , 9 11 & 12
9.	Legal implication of the subject/project	NIL

10.	Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject	The Council has been adopting the various orders issued by the Govt. of India from time to time. The Reso. No. and its date is not readily available.
11.	Comments of the Law Department on the subject/project	The law department has advised that the category of doctors eligible under the notification be specified to avoid the possibility of ineligible categories like ISM&H etc do not claim the benefit
12.	Comments of the Department on the comments of Law Department.	It is clarified that only Specialists cadre (Teaching, Non teaching and Public Health) alone will be covered under these orders. List of eligible doctors as on date is annexed as Annexure "C" (See page 353) . GDMO (Cadre—allopathic); cadres of Homeopathic & Ayurvedic Physician, Sr. Physician and Chief Physician will not be covered under these orders. It is further clarified that no cadre of Specialists doctors exists in NDMC for Homeopathic and Ayurvedic systems of medicine.
13.	Recommendation	It is recommended that the age of superannuation of Specialist doctors be enhanced from 60 years to 62 years w.e.f. 16.11.2006 as per orders No. A12034/3/2005-CHS.V. dated 16.11.2006, Ministry of Health and Family Welfare, Govt. of India
14.	Draft Resolution	Resolved that the age of superannuation of Specialist doctors (Teaching, non-teaching and Public Health) is enhanced from 60 to 62 years with immediate effect. The same may be implemented in anticipation of confirmation of minutes of the Council.

COUNCIL RESOLUTION

Deferred.

Annexure

Annexure end

ITEM NO. 25 (B-15)**1. Name of work –**

Estimate to Provide SCADA/DMS (Supervisory Control and Data Acquisition/Distribution Management System) in NDMC Electricity Supply Distribution System.

2. Name of Deptt. - Electricity Department-II**3. Brief history of the subject: -**

There is a Central Control Room located at Minto Road, which functions round the clock through out 365 days in a year to ensure continuity of electricity supply in NDMC area in close coordination with DTL System Control. Hourly load figures etc. are telephonically taken by the officers manning this Control Room. The load figures observed in NDMC system are manually recorded to ensure continuity of electricity supply and transfer of power from one source to the other depending on requirement. Various electrical parameters including real time drawl etc. are required by the System Control Staff to give the same to SLDC in 96 slots to ensure electrical parameters and generation capacity etc. etc.

M/s Power Grid Corporation of India Ltd. (PGCIL) were entrusted with the work to provide consultancy to install SCADA/DMS System in all the Bulk Supply Stations of NDMC so that various electrical parameters are available scientifically and on real time basis to the System Control for ensuring better continuity of electricity supply without depending on telephone calls. In this system, necessary technical instruments including Computer System Software, Computer System Hardware, RTUs, FRTUs and VPS, LDMS System, CMR, Test Equipment for RTUs and FRTUs etc. are to be installed for collecting data from the respective Sub-stations and transmitting the same through optical fibre cable on a common PC to be installed in the System Control. M/s PGCIL have submitted following two estimates amounting to Rs.13.16 crores to provide the above system in NDMC area: -

- i) Technical Specifications SCADA/DMS package : Rs. 681.70 Lacs
- ii) Technical Specifications FO Communication package : Rs. 633.95 Lacs

4. Detailed Proposal on the Subject: -

Presently there are 3 nos. of 66 KV, 19 nos. of 33 KV, about 400 nos. of 11 KV Sub-station in NDMC Distribution System which receive power through 31 nos. of bulk supply feeders. Two more 66 KV Sub-stations and few more 33 KV Sub-stations and 11 KV Sub-stations are going to be added into our system. Our NDMC Distribution System is constantly expanding befitting with the load requirement of the area.

For better management of electricity and the distribution network, subject cited system is proposed to be installed. Since our system is not having the compatibility for the subject cited system, initially we propose to install it for all our 33 KV and 66 KV Electric Sub-stations. This will be installed in a continous manner depending on compatibility and feasibility with our system. Initially, we may be collecting data to know our power requirements and to transfer load for maintaining the continuity of supply. The system can be updated in a phased manner as and when our system become compatible with the proposed system. This has to be a continuous process.

M/s PGCIL has executed similar works for NRLDC, SLDC and other govt. deptts. and have the capability of executing such schemes. NDMC does not have the adequate man power and expertise to undertake execution of such schemes. So M/s PGCIL are proposed to be entrusted with above works on cost + their charges basis.

5. Financial Implications of proposed scheme: -

An estimate amounting to Rs. 13.16 Crores submitted by M/s PGCIL has been prepared for above works. This has also the provision to cover some important 11 KV Sub-stations as well.

The expenditure shall be charged to the budget head E-4-1. Appropriate budget provision shall be asked based on our actual requirement in RE 2007-08 and BE 2008-09 and subsequently.

6. Implementation Schedule with time: -

Since our system does not have total compatibility for the above system, the same shall be executed in a phased manner continuously along with up-gradation of the system and so the works are proposed to be given on cost + charges basis to M/s PGCIL.

In the first phase, optical fibre cable shall be laid for interconnecting our 33 KV/66 KV Sub-stations along with provision of necessary equipments for data acquisition which will be upgraded to have supervisory control as well for switching on and switching off supply subsequently.

7. Comments of Finance Deptt. on the subject: -

Finance have concurred in the estimate vide their Dy. No. 600/finance/F-Electric dt. 30.03.2007 subject to following conditions: -

- i) Availability of funds
- ii) Approval of competent authority
- iii) Correctness of information and data submitted by the deptt.
- iv) Time of completion of work be brought on record before obtaining A/A and E/S of competent authority.
- v) M/s PGCIL cannot be a consultant and vendor simultaneously. This needs to be dealt with reference to codal provision/GFRs.

8. Comments of the deptt. on the comments of Finance Deptt.: -

Suitable funds shall be asked according to the progress of the work.

Approval of the competent authority is being taken.

The information/facts and figures are correct.

Time of completion of work is as given above at Sr. No. 6

M/s PGCIL is a govt. undertaking and are expert in the field. They have executed similar works in various State Electricity Boards. Deptt. feels that the work may be got done from M/s PGCIL on cost + their charges basis.

9. Legal Implication of the subject: -

It does not involve any legal implication.

10. Detail of previous Council's Resolution, existing Law of Parliament and Assembly on the subject: -

Nil

11. Comments of the Law Deptt. on the subject: -

No legal point is involved. However, this draft agenda has our concurrence.

12. Comments of the deptt. on the comments of Law Deptt.

NIL

13. Recommendations: -

The estimate amounting to Rs. 13.16 Crores may be placed before the Council for according administrative approval and expenditure sanction as concurred in by Finance as explained above and in Principle approval to approach M/s PGCIL for giving their offer to execute these works on actual cost + their charges basis.

COUNCIL'S DECISION

Resolved by the Council that administrative approval and expenditure sanction is accorded to the estimate amounting to Rs.13.16 crores to provide SCADA/DMS (Supervisory Control and Data Acquisition/Distribution Management System) in NDMC Electricity Supply Distribution System.

The Council further resolved to accord approval in principle, to approach M/s PGCIL for getting these works executed through them on actual cost plus their charges basis.

ITEM NO. 26(C-19)**ACTION TAKEN REPORT ON THE STATUS OF ONGOING SCHEMES/WORKS APPROVED BY THE COUNCIL.**

In the Council Meeting held on 28.8.1998, it was decided that the status of execution of all ongoing schemes/works approved by the Council indicating the value of work, date of award/start of work, stipulated date of completion & the present position thereof be placed before the Council for information.

The said report on the status of the ongoing schemes/works upto May 2007 had already been included in the Agenda for the Council Meeting for the Month of June 2007.

A report on the status of execution of all the ongoing schemes/works awarded **upto June 2007** is placed before the Council for information. **(See pages 358 – 399)**.

COUNCIL'S DECISION

Information noted.

ANNEXURE 42 PATES

358 – 399

ANNEXURE ENDS

ITEM NO. 27 (L-1)**RESOLUTION MOVED BY THE MEMBERS**

1. **Subject of the Resolution:** Regarding renewal policy of licence for shops of Estate Department. This Resolution was moved by the Member vide Resolution No. 35 (L-1) dated 19.07.2006.
2. **Name of the Member:** Sh. Ashok Ahuja
3. **Type of Resolution (Section 33, Procedure and Conduct of Business Regulation 1997) (Recommendation or request and action, call attention to a matter, situation for consideration by the Council):** Recommendation
4. **Previous Reference/Resolution:** 6 dt. 18.03.1999
5. **Details of Resolution:** NDMC has allotted shops to various persons on monthly licence fee basis. Some of the shops were allotted 20 to 30 years ago and some of them have changed hands since allotment. During this long span, some of the shops are alleged to have unauthorized construction.

The issue of alleged unauthorized construction is generally taken up when an allottee applies for transfer of a particular shop in his/her name whereas the fact remains that transfer and unauthorized construction are two different issues to be dealt with by Estate Department and Unauthorized Construction Cell of Architect Department respectively. Therefore, both need to be dealt separately and may not be mingled up to avoid unnecessary harassment to allottees and to earn revenue as well.

Therefore, keeping pace with the modern age of transparency, it is felt to be appropriate if Estate Department may process the request for transfer immediately on receipt to enable the Council to earn 30% enhancement and take the issue of removal of unauthorized construction, if any afterwards.

6. **Reply of the Department:**

- a) The shops/stalls/licenses are transferred on the basis of documents received, verified and affidavit containing that there is no violation in the premises.
- b) At present following cases are pending:-

License transfer on partnership basis	:	313
License transfer on legal heir basis	:	073
Pending for renewal	:	1254

In case of renewal / legal heir, possession remains with the same allottee or kins of allottee. The Estate Department earlier used to accept 15 point comprehensive affidavit. Copy of affidavit is annexed. The Estate Department feel that the above process may be allowed to continue in case of legal heir or renewals. However, in case of transfer of license due to partnership beside taking affidavit from occupant we may also seek a report from Executive Engineer of Building Maintenance about the violation/ unauthorized construction in the occupied premises. The Estate

Department will wait for 15 days for the report failing which shop will be transferred as per existing policy. In future if any complaint received about violation due to unauthorized construction, the case will be processed and shop will be cancelled. These cases will be dealt under Public Premises Act.

Besides above, Estate Department will carry out joint inspection with civil engineering department market wise and if any violation regarding unauthorized construction / encroachment observed during inspection will be dealt under Public Premises Act. It is also suggested that a system on monthly reporting of unauthorized construction in shop / stall / kiosks may be evolved and Executive Engineer (Building Maintenance) will report on monthly basis to the Director (Estate) / Chief Vigilance Officer of NDMC for necessary action.

- c) **Reference of the section of the NDMC Act:** N.A.
- d) **Examination in view of the provision of NDMC Act:** N.A.
- e) **Any other Law Department in this regard:** N.A.
- f) **Financial implications if any:** N.A.

7. Recommendation of the Department:

- (a) The Department's reply placed in Council meeting held on 16.10.06 may be treated modified as above.
- (b) Keeping in view of the procedure mentioned in the modified reply of the Department, it is suggested that Estate Department will follow above procedure in renewal / transferring the licenses.
- (b) I) Can be accepted.

COUNCIL'S DECISION

It was decided by the Council that Director (Estate) will send the list of all pending renewal/transfer cases on partnership basis to Civil Engineering Department in respect of shops in NDMC area for the inspection of each unit. Civil Engineering Department will submit his report about unauthorized construction of the unit within 30 days. Director (Estate) will initiate the transfer cases of the shops after receiving of NOC/inspection report from Civil Engineering Department.

However transfer cases on legal heir basis will be dealt as per usual practice/existing policy.

DISCUSSION NOTE**Release of Electric Connection to individual Jhuggi Dwellers in the J.J. Clusters existing in NDMC Area, on temporary basis.**

The case for the release of Electric Connection to the Jhuggi Dwellers in the J.J. Cluster existing in N.D.M.C. area was discussed in the Council Meeting held on 31.5.2007 (copy enclosed) in the said meeting the Council decided as under :-

“It was decided that the proposed scheme be implemented initially for the JJ Cluster near NSCI Club on experimental basis and if the scheme found successful, it can be implemented to other JJ Clusters in NDMC area also.”

Regarding above, it is stated that the Electrical works at the J.J. Cluster of NSCI has since been completed and as per the directions of the Council list of the residents of J.J. Clusters has been obtained from the Pradhan, deputed by the Vice Chairperson for this J.J. Cluster. The said list has been sent to Director (Enforcement) by C.E. (E-I) on 28.06.2007 for verification and thereafter to be forwarded to Director (Commercial) for issue of challans for releasing the temporary Electric Connection in this JJ Cluster.

COUNCIL'S DECISION

It was decided by the Council that the matter be finalized within next 15 days positively and Council be apprised of the same in its next meeting.

Annexure

Annexure of Item No. 26(C-19) consisting of 5 pages

404 – 408

Annexure ends

ITEM NO. 28 (A-25)

1. Name of the subject/ project
Construction of Service Centre at Fire Birgade Lane, New Delhi

2. Name of the department/department concerned
 Civil Engineering Department zone-II

3. Brief history of the subject/project

At present various service centres of Civil Engineering Department are working in semi permanent building on road berm and vacant land available in NDMC area. It has been decided that these service centres should be converted in to zonal service centres to accommodate various department of NDMC. In view of this NDMC has requested to L&DO for allotment of ten numbers sites for the construction of Zonal Centers. It is among one of them. L&DO has allotted said piece of land measuring 837 sqm plot to NDMC vide letter No. L&DO/LV-16(794)/99/49 dated 17.1.2001 for service centre at Fire Bridge Lane. The cost of the land i.e. Rs. 1399215/- has been paid to L&DO vide council resolution No. 3(xiii) dated 17.5.2001. There is at present a govt building 13-15 Barakhamba Lane exist on said plot. This is a single storey building. The depreciation cost of said CPWD bungalow has also been deposited to L&DO after getting approval from "Chairperson". Physically L&DO has given possession of 608.92sqm plot area and 161.86sqm plinth area of CPWD bungalow on dated 18.4.2006. It is has been proposed that said existing CPWD bungalow is to be demolished for constructing Service Centre Building. The depreciation cost paid to L&DO for existing bungalow which is Rs. 331552/= has been kept Reserve Value of the structure which is required to be written off from the council.

The Chief Architect NDMC has issued preliminary drawing for the proposed three storyed building to construct service centre at Fire Brigade Lane. The proposed building shall house the service centre for Civil, Electrical and Horticulture Department. On the basis of said drawings a Preliminary Estimate has been framed for an amount of Rs. 8418900/=. It is based on PAR 92 rates+136 percent cost index and 5% contingencies. The approval principle for A/A & E/S has been got from Chairperson subject to approval of DUAC before construction of building.

4 Detailed proposal of the subject/project :
The features of the structure as per drawings is :

Ground Floor

1. Junior Engineer room 4070x3000mm size.
2. Store room of size 2340x3000mm.
3. Lift shaft of size 1500x1800mm.
4. Store(Civil) & Horticulture of the sizes 4070x3000mm.
5. Drinking water traugh and a toilet for handicapped persons of size 1500x1630mm.
6. Labour room of size 2755x3000mm,.
7. A toilet of size 1200x1885mm for handicapped & one combined toilet for gents & ladies having size of each 1978x3000mm.
8. Staircase of size 4070x3000mm.
9. Complaint room of size 4070x3000mm.
10. Provision of ramp for handicapped person has also been taken.
11. Central passage of size 12900x1860mm.
12. Sunshade 600mm wide al-around the building.

1st floor

1. Junior Engineer room 4070x3000mm size.
2. Room of size 2340x3000mm.
3. Lift shaft of size 1500x1800mm.
4. Three rooms for SDC of Civil, Electrical and Horticulture having same size of 4070x3000mm.
5. Store room of size 2953x1630mm.
6. A combined toilet for ladies and gents each having size 1978x3000mm.
7. Staircase of size 4070x3000mm.
8. Junior Engineer room of size 4070x3000mm.
9. A balcony of size 6200x1800mm on front side of building.
10. A passage of size 13800x1860mm.
11. Sunshade 600mm wide al-around the building.

Second Floor

1. Room of size 8070x4070mm plus are of 6640x4840mm.
2. A room of size 4070x3000mm.
3. Room of size 8070x4070mm.
4. A combined toilet of ladies & gents each having size 1978x3000mm.
5. Staircase of size 4070x3000mm.
6. A passage of size 5800x1860mm.
7. Sunshade of 600mm, wide al-around of building at terrace level.

PREPOSED SPECIFICATIONS:

1. Marble chips flooring in rooms.
2. Kota stone flooring in staircase and in corridor passage area.
3. M.S window frame fully glazed.
4. Interior walls finishing plastered with cement mortar.
5. Glazed tiles finishing in toilets upto 7 feet height.
6. Indian type WC pan and European type WC pan in the toilets.
7. Cement concrete pavement in the open area.
8. Dhoolpur stone cladding finishing over outer walls of the building.
9. MS railing on boundary wall.
10. Landscaping and flower beds.

5 Financial Implications of the proposed project/subject.

Based on preliminary drawing supplied by CA, the Preliminary Estimate has been framed for amounting to Rs. 8418900/=. The expenditure is proposed to be met with the budget provision of Rs. 1,00,000.00 exist vide item No. 265 page No.111 under head of H.1.8 in budget book of 2006-07. Further sufficient funds are sought in RE 2007-08.

6. Implementation schedule with timeliness for each stage including internal processing.

The project is to be completed within 12 months after award of the work.

7 Comments of the Finance Department on the subject.

We concur in the PE amounting to Rs. 8418900/= (Rs. Eighty Four lac eighteen thousand nine hundred) as checked by planning subject to the condition that all the conditions of allotment of land by L&DO are adhered to specially with respect to the approval of DUAC before construction of building. Further sufficient funds are sought in RE 2007-08.

8. Comments of the department on comment of the finance department.

The drawings have already been sent by CA to DUAC for approval and after getting the approval from DUAC the work will be commenced as per the condition of L&DO.

9 Legal implication of the subject/project

Nil

10 Details of previous council resolution/existing law of parliament & assembly on the subject.

Council Reso. No.3(xiii) dated 17.7.2001 about the payment to L&DO as Land Cost of Rs. 13,99,215/=.

11 Comments of the law department on the subject/project.

Nil

12 comments of the department on the comments of the law department

Nil

13. CE(C-II)'S REMARKS :

The case is placed before the council for according Administrative Approval and Expenditure Sanctioned of the Preliminary Estimate amounting to Rs. 84,18,900/= (Rs. Eighty Four Lac Eighteen thousand nine hundred) for construction of service centre at Fire Brigade Lane New Delhi.

COUNCIL'S DECISION

Resolved by the Council that Administrative approval and expenditure sanction of the Preliminary Estimate amounting to Rs.84,18,900/- is accorded for construction of Service Centre at Fire Brigade Lane, New Delhi.

ITEM NO. 29 (A-26)**1. Name of the subject/Project.**

Construction of Staff Quarters for Service personnel at Sector-VII , Pushp Vihar, Saket, M.B. Road, New Delhi.

2. Name of the Department/Department Concerned

Civil Engineering department Zone-II.

3. Brief History of the Subject/Project.

96 type-II Quarters are to be constructed for service personnel. The drawings prepared by Architect department was submitted to MCD for their approval. Town planning department, MCD has raised observation vide their letter TP/4/3546/06 dated 11.12.2006 road width requirement are not as per norms. The matter was discussed with Senior Town Planner as was discussed and it was proposed to surrender 4.5 m wide land along the road to meet the requirement of 18.0 m front road as per master plan norms. The case was submitted to Chairperson for approval. Chairperson approved the proposal for surrendering the land on 01.06.2007 with the remarks to " Ensure we get the FAR for surrendered land " to which Architect department take suitable action.

4. Detailed Proposal on the Subject/Project.

-----NIL-----

5. Financial Implications of the proposed Project/Subject.

The land measuring 1.98 acres was allotted by the L&DO for Construction of Staff Quarters for Service personnel at Sector-VII , Pushp Vihar, Saket, M.B. Road, New Delhi. Vide No. L&DO/L.V. 16(716)/496 dated 28.08.2001. The land was allotted @ Rs. 10,000/- per acres & annual ground rent of Rs. 500/- per acres. By surrendering the land measuring 450.90 Square Metre the NDMC will bear the lose of Rs. 1114/- against the land cost & ground rent of Rs. 56/- per year.

6. Implementation schedule with timeliness for each stage including internal processing.

The preliminary estimate has already been accorded A/A & E/S for Rs. 6,73,46,000/- vide resolution No. 2 (A-14) dated 28.09.2005 and T/S for Rs. 5,18,66,000/- on 28.03.2006 by CE(C-II). The time of completion of project is 2 years after award of work.

7. **Comments of the finance Department on the Subject.**
-----NIL-----
8. **Comments of the Department on comment of the Finance Department.**
-----NIL-----
9. **Legal Implication of the Subject/Project:**
-----NIL-----
10. **Details of previous Council Resolution/existing law of Parliament & Assembly on the subject.**
2 (A-14) dated 28.09.2005.
11. **Comments of the Law Deptt. On the Subject/Project:**
-----NIL-----
12. **Comments of the Department on the comments of the Law Department.**
-----NIL-----
13. **Recommendation**
The case is noted to Council for surrendering 450.90 Square Metre (4.50 m X 100.2 m) to meet the norms necessary for approval of drawings from MCD Town planning department for construction of Staff Quarter at Sector –VII , Pushap Vihar, Saket, M.B. road , New Delhi.
14. **Draft Resolution :**
Resolved by the council that 450.90 Square Metre area be surrendered to L & D O to the meet the norms necessary for approval of drawings from MCD.Town planning department for construction of Staff Quarters for Service Personnel at Sector-VII, Pushap Vihar, Saket, MB road, New Delhi.

COUNCIL'S DECISION

Resolved by the Council that 450.90 square meter area be surrendered to L&DO to meet the norms necessary for approval of drawings from MCD Town Planning Deptt. for construction of Staff quarters for Service Personnel at Sector-VII, Pushp Vihar, Saket, MB Road, New Delhi.

ITEM NO. 30 (A-27)

1. **Name of the Project** :- Permission to work on NDMC Land for Section from Chelmsford Club to Udyog Bhawan (BC-23) on Central Secretariat – Badarpur Corridor of Delhi MRTS.
2. **Name of Department**:- Civil Engineering Department.
3. **Brief History of the project**:- Central Secretariat – Badarpur Corridor alignment of Delhi MRTS is going to start very shortly. DMRC Ltd. has requested NDMC for a temporary transfer of following lands. So that, DMRC Ltd can take up the work in NDMC area.

SYMBOL	AREA REQUIRED	LAND OWNING AGENCY	PURPOSE
A	841.039	NDMC	TEMPORARY PARKING
B	2715.42	NDMC	TUNNELING WORK
C	2380.609	NDMC	STATION WORK
D	4188.50	NDMC	STATION & TUNNELING WORK

As per the plan attached here area marked A is about 841.039 square metre on Rafi Marg footpath. This area is temporarily required for the development of the parking space in front of Chelmsford club to accommodate the spill over parking of club as their inside parking space will be effected due to the construction work. Rest of the area marked as B C & D on the plan are falling in the alignment and are the part of the right of way where tunneling work on the portion marked B (2715.42 Sq. m.) station work, on the portion marked C (2380.609 Sq.m.) station and tunneling work, on the portion marked D (4188.50 Sq.m) station and tunneling work.

These are all the temporary requirement for which NDMC shall have no objection. The work on this project is likely to be taken up in July 2007 and are to be completed before June 2010.

4. **Financial implication of the proposed project** :- There will be no financial implication on NDMC on account of the transfer of this land to DMRC Ltd. DMRC Ltd. As per their policy restored the condition of the roads, footpaths, drainage as per the inventories prepared after it is accepted by both the department i.e. NDMC and DMRC Ltd. The restoration is done at their own cost.

5. Comments of the department regarding the area where the pieces of land are required.

Nil

6. Legal implication of the subject / project :-

Nil

7. Comments of LAW department on the subject :-

Not applicable.

8. Comments of the department pf the comments of the LAW department.

Not applicable.

9. Recommendation :- Feasible the cost because :-

- a. Pocket A is a katcha portion and no hindrance caused.
- b. Pocket "B" on Rajender Parshad Marg near roundabout, Pocket "C" on Rafi Marg and "D" highlighted on the plan is for the tunneling work, station work, station and tunneling work respectively. Area marked A, B, C & D are temporarily required on the right of way of Rafi Marg. After completion of the work services will be restored in original position by DMRC Ltd.

COUNCIL'S DECISION

Resolved by the Council that the NDMC has no objection for the work of Badarpur Corridor of Delhi MRTS in the area marked as A, B, C & D in the preamble, on the condition that after completion of the work, services will be restored in original position by DMRC Ltd.

Further resolved by the Council that the proposal of DMRC to construct elevated track near S.P. Marg and Mother Teresa Crescent was discussed in detail and the Members expressed their concern about the elevated track which would completely spoil the aesthetics of the area which not only has the ridge but is also a part of the Luytens Delhi with Presidential Estate nearby. It was further emphasized that Sardar Patel Marg and Willingdon Crescent area is used by the VVIPs including the President, the Prime Minister and foreign dignitaries for going to and coming from the Airport. The elevated Metro Rail Project is thus, not suited for NDMC areas.

After detailed deliberations, the Council resolved that Chairperson is authorized to meet the concerned authorities in DUAC, NCT of Delhi and DMRC and express the Council's concern over the proposed construction of elevated Metro Tracks in NDMC area and impress upon the authorities that elevated track in NDMC area may be avoided and that there should be no elevated Metro track on S.P. Marg and Mother Teresa Crescent area.

Item No. 31 (A-28)

1. **Name of the Project** :- Requirement of NDMC land on permanent basis in Khan Market in connection with Construction of Central Secretariat – Badarpur Corridor of Delhi MRTS Project, Phase-II.

2. **Name of Department** :- Civil Engineering Department.

3. **Brief History of the project** :- A meeting regarding the allotment of land for Phase-II of MRTS project was held by the secretary (UD) today on 12.07.07 at 12:00 Noon in the conference room (Room No. 123, C-Wing, Nirman Bhawan) attended by Senior officers of all the departments of Delhi. NDMC was represented by the Engineer in Chief, chief Architect and Executive Engineer (R-II). The requirement of land in Khan Market area came in discussion. There are two types of land requirement :-

- (i) Permanent.
- (ii) Temporary.

i) **Permanent Land** :- Khan Market (1Pocket) of about 2183.69 Sq. metre. This piece of land is a vacant plot behind Hotel Ambassador, part of Sujan Singh Park, Horticulture Department, NDMC is presently maintaining it as a vacant open area. The ownership status of this piece of land is not readily available. However, land use of the plot is residential adjoining developments are barrack type housing with garages at ground floor and hotel ambassador. There are no NDMC proposals for these sites. And therefore, NDMC shall have to issue no objection certificate to DMRC Ltd. So that they can take up the matter for acquisition with L&DO or the land owning agency.

ii) **Temporary Land** :- Site plan is enclosed. Site marked as LA-8 is a park between the church and JJ Clusters on Gopal Mandir Road. This park is being maintained by NDMC about 1579.766 Square metre area is required for stacking and storage yard. We shall have no objection on temporary transfer of this land. Site LP-1, (LP-1.2, LP-2, LP-2.2) about 94.766 Square metre is required for station entry / exit. This pocket are on the katcha portion of the right of way of Humayun road. There will be no hindrance to the traffic and pedestrian as their will be sufficient space available for footpath etc NDMC shall have no objection on transfer of this pocket of land on temporary ground.

LP-3, LP-3.1, LP-3.2, LP-3.3 about 19.392 Square metre is also required for station entry // exit and ventilation shaft. These pockets are also abduct to the right of way of Humayun Road and on Gopal Mandir road (LP-3.1).

There are shops existing on all three pockets which will be decided by the DMRC Ltd. of whether they will be shifting these shops temporarily. However, NDMC has no plan in these pockets and therefore, NDMC shall have no objection.

4. **Financial implication of the proposed project** :- There will be no financial implication on NDMC on account of the transfer of this land to DMRC Ltd. DMRC Ltd. As per their policy restores the site in original condition of the roads, footpaths, and drainage as per the inventories prepared and accepted by both the department i.e. NDMC and DMRC Ltd. The restoration is done at their own cost.
5. **Comments of the department regarding the area where the pieces of land are required.**
Nil
6. **Legal implication of the subject / project** :-
Nil
7. **Comments of LAW department on the subject** :-
Not applicable.
8. **Comments of the department pf the comments of the LAW department.**
Not applicable.
9. **Recommendation** :- Feasible because :-

The locations are required temporarily and on katcha portion of the right of way. There will be no hindrance to the flow of traffic and pedestrian. DMRC Ltd will restore after the completion of project at their own cost. It is therefore recommended that we may temporarily hand over all these pockets to DMRC Ltd.

COUNCIL'S DECISION

Resolved by the Council that a No Objection Certificate be issued to DMRC Ltd., so that DMRC can take up the matter for acquisition with the L&DO or the land owning agency.

ITEM NO. 32 (G-4)**1. Name of the Subject/Project:**

Approval of Tariff Structure of Electricity as approved by DERC applicable from 06.01.2007 and levy of electricity tax @5%.

2. Name of the department/ departments concerned

Commercial Department

3. Brief history of the subject/project

As per section 200 of the NDMC Act, 1994, subject to the provision of any law for the time being enforce, charges shall be leviable for supply of electricity by Council at such rates as may, from time to time, be fixed by the Council.

As such rates for charges for supply of electricity have to be at such rates as may be fixed from time to time by the Council.

The DERC has fixed the tariff of Electricity to be charged from consumers of NDMC area from 06.1.07. This does not include in built charges of electricity tax which was being collected by NDMC for last several years.

4. Details proposal on the subject/project

The Council has approached Central Government to sanction 5% levy of Electricity Tax. The Resolution is pending with Central govt. If sanctioned during the second quarter of this year i.e. between July 2007 and September 2007, it will be effective from 01.10.2007.

The Council has not so far approved or fixed tariff from 06.1.2007. If the tariff fixed by DERC is made applicable from 6.1.2007, the Council will have to return to consumers 5% of tariff already collected from 06.1.2007. This will badly effect Budget targets from electricity.

5. Financial implications of the proposed project/subject

The Electricity Tax @5% is already included in the tariff being charged from the consumers. This exercise is to regularize the matter i.e. to show the tariff rates as fixed by DERC and 5% tax separately. However, gross revenue from sale of electricity as projected in 2007-08 is about Rs 550 crore which includes electricity components of above Rs 25 crore.

6. Implementation schedule with timeliness for each stage including internal processing.

To be made effective from 06.01.07 as per approval of DERC.

7. Comments of the Finance Department on the subject

The case at this stage is yet to be seen by Finance. However, the orders passed by the DERC regarding fixation of tariff from 06.01.2007 have already been seen by Finance.

8. Comments of the Department on comments of Finance Department

No comments.

9. Legal implication of the subject/project

The case has already been seen and examined by the Legal Advisor and the case is being noted to the Council, as per his advice to avoid any further legal implications.

10. Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject.

Resolution No. 3(i) dated 17.7.2001.

11. Comments of the Law Department on the subject/project

The Council has not so far approved or fixed tariff from 06.01.07. If the tariff fixed by DERC is made applicable from 06.01.07, the Council will have to return to consumers 5% of tariff already collected from 06.01.07. This will badly effect Budget target from electricity.

12. Comments of the Department on the comments of Law Department

The advice of Law Deptt. is agreed to.

13. Recommendations

- (i) The Council may resolve to request DERC to permit existing tariff which had a built in element of electricity tax to continue till 30.09.07 and the element of electricity tax shall be transferred to Reserve Electricity Fund. This would avoid refund of 5% of tariff to consumers;
- (ii) Central Govt. may again be approached to sanction levy of electricity tax at an early date so that the same is made effective from 01.10.07 and software developed for bifurcation of electricity tariff and electricity tax.

COUNCIL'S DECISION

Resolved by the Council that DERC be requested to accord permission to continue with the existing tariff which had a built-in element of Electricity Tax till 30.09.2007, to avoid refund of 5% of tariff to the consumers. The element of Electricity Tax may be transferred to Reserve Electricity Fund.

Further resolved by the Council that Central Govt. may again be approached to sanction levy of electricity tax at an early date so that the same is made effective from 01.10.07 and software be developed for bifurcation of electricity tariff and electricity tax.