

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

**COUNCIL'S MEETING NO. 04/2008-09 DATED 21.05.2008 AT 3-00 P.M.**

**Arrangement of business**

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**ITEM NO. 01 (C – 6)**

Confirmation and signing of the minutes of the Council's Meeting No. 02/2008-09 dated 28.04.2008 **(See pages 4 – 10)**.

**COUNCIL'S DECISION**

Minutes confirmed subject to condition explained hereunder :

**1.** The Council's decision on Item No. 28(A-18) dated 28.04.2008 be modified and read as follows :-

"Resolved by the Council to approve the following:-

- i. To enter into Turnkey consultancy agreement with M/S Engineers India Limited for the work relating to Redevelopment of Connaught Place as well as administrative approval & expenditure sanction of Project Report for Rs. 615.20 crores to be funded under JNNURM/**MoUD**/Govt. of Delhi/Local Body.
- ii. To authorize Chairman, NDMC to nominate an officer to sign Turnkey Consultancy Agreement on behalf of NDMC.
- iii. Closure of earlier agreement & transfer of all documents/works to M/S EIL on "as is where is basis" by the NDMC.
- iv. Reimbursement of fee to M/S Engineers India Limited for preparation of Detailed Project Report for funding under JNNURM. The amount will be limited to the reimbursement by Ministry of Urban Development, under JNNURM guidelines, for preparation of detailed Project Report.
- v. An advance payment of Rs. 50 crores i.e. roughly 10% of Rs. 550 crores to be deposited in "EIL-CP Project Account" for taking the works on turnkey basis by EIL, after sanction of funds under JNNURM/**MoUD/GNCTD/NDMC**.
- vi. Formation of Project Coordination Committee to monitor the progress of the project and give decisions/approval during execution."

**2.** The following paras of the preamble of Item No.28 (A-18), be read as under :-

a) **Para 3(s) (i) & 12 (a) :** Brief history of the Subject/Project Recommendations

For :

To accord approval to enter into turnkey consultancy agreement with M/S Engineers India Limited for work relating to Redevelopment of Connaught Place and to accord Administrative Approval and Expenditure Sanction of Project Report for Rs.615.20 crores to be funded under JNNURM / Govt. of Delhi / Local Body.

Read :

To accord approval to enter into turnkey consultancy agreement with M/S Engineers India Limited for work relating to Redevelopment of Connaught Place and to accord Administrative Approval and Expenditure Sanction of Project Report for Rs.615.20 crores to be funded under JNNURM / MoUD/ Govt. of Delhi/ Local Body.

b) **Para 3(s) (v) & 12 (e) :** Brief history of the Subject/Project Recommendations

For :

An advance payment of Rs. 50 crores i.e. roughly 10% of Rs.550 crores to be deposited in "EIL- CP Project account" for taking the works on turnkey basis by EIL after sanction of funds under JNNURM.

Read :

An advance payment of Rs. 50 crores i.e. roughly 10% of Rs.550 crores to be deposited in "EIL- CP Project account" for taking the works on turnkey basis by EIL after sanction of funds under JNNURM/ MoUD/ GNCTD/ NDMC.

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

**MINUTES OF THE COUNCIL'S MEETING NO. 02/2008-00 HELD ON 28.04.2008  
AT 3-00 P.M. IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.**

<b>MEETING NO.</b>	<b>:</b>	<b>02/2008-09</b>
<b>DATED</b>	<b>:</b>	<b>28.04.2008</b>
<b>TIME</b>	<b>:</b>	<b>3-00 P.M.</b>
<b>PLACE</b>	<b>:</b>	<b>PALIKA KENDRA, NEW DELHI.</b>

**PRESENT :**

- |           |                        |          |                    |
|-----------|------------------------|----------|--------------------|
| <b>1.</b> | <b>Sh. Parimal Rai</b> | <b>-</b> | <b>Chairperson</b> |
| 2.        | Sh. Ashok Ahuja        | -        | Member             |
| 3.        | Sh. V.V. Bhat          | -        | Member             |
| 4.        | Ms. Sima Gulati        | -        | Member             |
| 5.        | Sh. Mukesh Bhatt       | -        | Member             |
| 6.        | Sh. Vikram Dev Dutt    | -        | Secretary, NDMC    |

<b>ITEM NO.</b>	<b>SUBJECT</b>	<b>DECISION</b>
1 (C-1)	Confirmation and signing of the minutes of the Council's Meeting No. 18/2007-08 dated 31.03.2008.	The minutes were confirmed subject to the condition that the decision against Item No.12 (N-4) above, be modified and read as under :-  "Resolved by the Council that the draft of the New Delhi Municipal Council (Public Parks, Gardens or Recreation Grounds) Bye-laws, 2008 (Annexure XIII) is approved subject to the addition of the following provisions at appropriate place in suitable manner and that after such addition these be sent to the Government of NCT of Delhi, for their approval and publication in the Delhi Gazette :-  (i) Prohibition regarding the feeding of dogs, birds and other animals inside the park. (ii) Pet owners be made responsible to clean litter by pet."
2 (C-2)	Confirmation and signing of the minutes of the Council's Special Meeting No. 01/2008-09 dated 03.04.2008 held through circulation of agenda.	Minutes confirmed.
3 (A-1)	Sub.: S/R of Roads in NDMC Area S.H.: Providing Mastic Asphaltic wearing course (RAIP 2006-07) at	Resolved by the Council to accord administrative approval & expenditure sanction amounting to Rs. 1,51,38,000/- to the Preliminary Estimate for providing Mastic Asphaltic wearing course (RAIP

	RoundABOUTS in R-IV Division.	2006-07) at Roundabouts in R-IV Division of the Civil Engg. Deptt. of NDMC.
4 (A-2)	S/R of Roads in NDMC Area. SH : Providing Mastic Asphaltic Wearing Course at Roundabouts in R-V Division (RAIP 2007-08).	Resolved by the Council to accord administrative approval & expenditure sanction amounting to Rs. 91,16000/- to the Preliminary Estimate for providing of Mastic Asphaltic wearing course at Roundabouts in R-V Division (RAIP 2007-08) of Civil Engg. Deptt. of NDMC.
5 (A-3)	Sub.: S/R of Roads in NDMC Area. S.H.:Providing Mastic Asphaltic Wearing Course at Windsor Place Roundabout.	Resolved by the Council to accord Administrative Approval & Expenditure Sanction amounting to Rs. 69,23,000/- to the Preliminary Estimate for providing of Mastic Asphaltic wearing course at Windersor Place Roundabout.
6 (A-4)	Sub.: S/R of Roads in NDMC Area. SH. : Improvement to footpath at Pandit Pant Marg including area near Parliament House Library and Roundabout.	Resolved by the Council to accord Administrative Approval & Expenditure Sanction amounting to Rs. 80,26,000/- to the Preliminary Estimate for improvement of footpath at Pandit Pant Marg including area near Parliament House Library and Roundabout.
7 (A-5)	S/R of roads in NDMC area. SH :- Improvement of footpath/walkway at Dr. Zakir Hussain Marg, Subramaniam Bharti Marg, Pandara Road and Shersshah Road.	Resolved by the Council to accord Administrative Approval & Expenditure Sanction amounting to Rs. 3,04,06,000/- to the Preliminary Estimate for improvement of footpath/walkway at Dr. Zakir Hussain Marg, Subramaniam Bharti Marg, Pandara Road and Shersshah Road.  The deptt. was advised to maintain the footpath in such a manner that obstructions / potholes do not occur thereon, for proper utilization of the footpaths by the pedestrians.  It was also advised that improvement/beautification of the footpaths and walkways be taken up keeping in view the forthcoming Common Wealth Games 2010.
8 (A-6)	Sub.: S/R of Roads in NDMC Area. S.H.: Resurfacing of remaining colony roads at Pandara Park & cycle track of Dr. Zakir Hussain Marg and Bhagwan Dass Road.	Resolved by the Council to accord administrative approval & Expenditure Sanction amounting to Rs.54,96,786/- and to award the work to M/S Radhey Shyam Gupta Pvt. Ltd. @ 82.02% above the Estimated Cost of Rs. 30,19,819/- with the tendered amount of Rs. 54,96,786/-, for resurfacing of remaining colony roads at Pandara Park & Cycle Track of Dr. Zakir Hussain Marg and Bhagwan Dass Road.
9 (O-1)	Audit Comments on Financial Statements for the year ending March 2005 prepared on Accrual Basis.	Resolved by the Council that information regarding audit comments on Financial Statements for the year ending March 2005 prepared on Accrual Basis as reported by the Chief Auditor is noted. The Finance Department is advised to carry out the necessary improvements in the Financial Statements for subsequent years i.e. 2005-06 onwards.

10 (C-3)	Naming of a part of Chandragupta Marg in front of Bhutanese Embassy in Chanakyapuri area as "Wangchuck Centenary Marg".	Resolved by the Council not to agree to the request for change of name of 'Chandragupta Marg' in view of guidelines issued by Govt. of India vide Ministry of Home Affairs Letter No. 13022/34/74/Delhi dated 27.9.1975. Regarding alternative proposal for naming of the road from Chandragupta Marg to Singapore and Nigeria Missions, adjoining western boundary of the Bhutanese Embassy, it was resolved by the Council to refer the proposal back to Ministry of External Affairs to reconsider their proposal, keeping in view the fact that the proposed road leads to Singapore and Nigeria High Commission and also in view of the request made by NDMC to the Foreign Secretary, vide D.O. Letter No.285/PS/CP/007 dated 26.3.2007, requesting to recommend naming of roads in Chanakya Puri area in a planned manner.
11 (A-7)	Sub: Improvement / Up gradation of Talkatora Indoor Stadium. Sub Head: Supply, Installation, Testing & Commissioning of 1000 KVA D. G Sets at Talkatora Indoor Stadium	Resolved by the Council to award the work to M/s Sudhir Power Project (P) ltd. at their total tendered amount of Rs. 2,05,93,700/- which is 1.67% below the Estimated Cost put to tender of Rs. 2,09,43,000/-.  It was further decided that the deptt. may take necessary action, in anticipation of confirmation of the minutes.
12 (A-8)	Sub :- S/R of roads in NDMC area. SH :-Improvement of footpath at C Hexagon (Inner and Outer).	Resolved by the Council to accord Administrative Approval and Expenditure Sanction amounting to Rs. 2,30,25,000/- to the Preliminary Estimate for improvement of footpath at C-Hexagon (Inner & Outer) including footpath of Central Vista handed over to CPWD on actual cost reimbursement basis. The Deptt. was also advised to use modern technology for digging etc. and to adhere to guidelines regarding height, asthetic etc. in a coordinated manner.
13 (B-1)	Purchase of 6 Nos. 33/11 KV, 16/20 MVA Power Transformers.	Resolved by the Council to place the order for purchase of 6 Nos. 16/20 MVA, 33/11 KV Power Transformers on M/s Bharat Bijlee Limited at a total computed cost of Rs.7,84,84,223/- at the terms and conditions of NIT with IEEMA Price Variation Clause with base date 01.06.07 without ceiling and to accord administrative approval and expenditure sanction for the above purchase. The order may be placed in anticipation of confirmation of the minutes by the Council, as the validity of the offer is only upto 31.05.2008.  The Department has also clarified that two Power Transformers shall be available as spare for utilization, as and when any of the 17 Power transformers, which are working in the system but have already served their useful lives, fails. It has been further certified by the Department that,

		these two spare Power Transformers will be kept in operation/service condition in the system.
14 (A-9)	Sub.: S/R of Roads in NDMC Area.S.H.: Development of second entry (North End) at Race Course Road, P.M.House Complex.	Resolved by the Council to accord Administrative Approval and Expenditure sanction amounting to Rs.1,25,48,000/- to the Preliminary Estimate for Development of second entry (North End) at Race Course Road, P.M. House Complex.  It was further decided that the deptt. may take necessary action, in anticipation of confirmation of the minutes by the Council.
15 (F-1)	Introduction of Unit Area Based System of determination of Annual Rental Value – finalization of byelaws.	It was decided by the Council to again refer the Bye-laws, to the Sub-committee constituted for this purpose, for further deliberations and thereafter, the recommendations of the Sub-committee be again put up to the Council for consideration.
16 (A-10)	Desilting and rehabilitation of 66" dia trunk sewer line from Q. Point to Dayal Singh College in NDMC area – Tenders thereof.	Resolved by the Council to award the work of Desilting and rehabilitation of 66" dia trunk sewer line from Q point to Dayal Singh college in NDMC to M/s E.T. Environtech Overseas Pvt. Ltd. at a cost of Rs. 15,58,49,384/-.  It was further decided that the deptt. may take necessary action in anticipation of confirmation of the minutes by the Council.
17 (A-11)	Rehabilitation of old sewers <u>SH</u> : Desilting and rehabilitation of 838X940mm Egg Shaped barrel at Man Singh Road from Ashoka Road to Q Point. Preliminary estimate thereof.	Resolved by the Council to accord administrative approval & expenditure sanction amounting to Rs. 8,06,63,000/- to the Preliminary Estimate for work of Desilting and rehabilitation of 838X940mm Egg Shaped barrel at Man Singh Road from Ashoka Road to Q Point.
18 (A-12)	Strengthening of Water Supply System in NDMC area. Installation of 26 Nos. tube wells for Horticulture purpose. SH:- Boring of 26 Nos. tubewells.	It was clarified by the Deptt. that amount of Rs.81,51,00/- wrongly typed in line 3 of para 14 of the proposal may be read as Rs.81,51,000/-. Taking note of this it was resolved by the Council to accord approval for ex post facto rejection of tender of M/S Pioneer Drilling Co. Ltd. of first call, which were received at 6.59% above the estimated cost of Rs. 76,47,250/- with tendered amount of Rs.81,51,000/- and to accept the tender of M/S C.S.T. & Co. at 23.927% below the estimated cost of Rs.76,47,250/- against justified rates of 8.56% above the Estimated Cost.  It was further decided that the deptt. may take necessary action, in anticipation of confirmation of the minutes.
19 (A-13)	S/R of Roads in NDMC Area. SH: Improvement of Area along service roads of MP's flats, North Avenue	Resolved by the Council to award the work for improvement of Area along service Roads of MPS's flat, North Avenue to M/S Bhoj Raj for the tendered amount worked out to Rs.67,72,608/-.
20 (G-1)	Revision of Retail Tariff of Water	Resolved by the Council that while implementing

	Supply.	<p>the directions of the Central Government and Resolution dated 25.09.1998 of the Council, deptt. to ensure that the tariff rates fixed by DJB are applied in a phased manner in NDMC area, i.e. initially for category-III, followed by category-II and category-I.</p> <p>It was further resolved by the Council to approve the proposed tariff of water supply in respect of category III users with immediate effect and to authorize the Chairman, NDMC, to take decision for the date of revision in respect of the remaining categories I &amp; II.</p> <p>It was further decided that in respect of the domestic connections, referred to above, where there are no meters or there is provisional billing, the department shall get an estimate made of the water being supplied / consumed in these units and levy the charges on such estimated consumption at the tariff rates fixed by DJB.</p>
21 (A-14)	Providing "Electronic Parking Guidance & Management System for Palika Parking".	Resolved by the Council to approve the conceptual proposal for providing of Electronic Parking Guidance & Management System for Palika Parking.
22 (C-4)	Contracts/Schemes involving an expenditure of Rs. 1 Lac but not exceeding Rs. 50 Lacs.	Information noted.
23 (C-5)	Action Taken Report on the status of ongoing schemes/works approved by the Council.	Information noted.
24 (A-15)	S/R of roads in NDMC area. SH :- Riding Quality Improvement Programme (Phase -II).	<p>Resolved by the Council to accord Administrative Approval &amp; Expenditure Sanction amounting to Rs.43,48,16,000/- for Riding Quality Improvement Programme (Phase-II).</p> <p>It was further decided that the deptt. may take necessary action, in anticipation of confirmation of the minutes.</p>
25 (H-1)	Confirmation of the order of the then Chairperson dated 17.3.2005 to restrict the pay-scale of Sh. D.N. Gupta, the then Chief Engineer (Electrical) from Rs. 22,400/- in the pay scale of Rs. 18,400-22,400/- to Rs. 22,100/- in the pay-scale of Rs.16,700-22,100/-.	Resolved by the Council that the order dated 17.3.2005, of the then Chairperson, to restrict the pay-scale of Sh. D.N. Gupta, the then Chief Engineer(Elect.), from Rs.22400/- in the pay scale of Rs. 18,400-22,400/- to Rs.22,100/- in the pay scale of Rs. 16,700-22,100/- w.e.f. 26.9.2002, i.e. the date from which he was granted higher pay-scale, is confirmed.
26 (A-16)	S/R of Roads in NDMC area. S.H.: Redevelopment of Hanuman Mandir Plaza (Shri Hanuman	Resolved by the Council accord revised administrative approval and expenditure sanction for Rs.5,38,30,261/- and to award the work for



	Mandir Vatika), B.K.S. Marg	<p>Redevelopment of Hanuman Mandir Plaza (Shri Hanuman Mandir Vatika), B.K.S. Marg M/S K.R. Anand at 67.55% above the Estimated Cost with negotiated amount of Rs. 5,38,30,261/-.</p> <p>It was further decided that the deptt. may take necessary action, in anticipation of confirmation of the minutes.</p>
27 (A-17)	Procurement of furniture in NDMC from M/s Godrej.	<p>Resolved by the Council to approve the draft agreement with M/S Godrej, which has been drafted in consultation with Finance/Law Deptts.</p> <p>It was further resolved to procure furniture in NDMC for renovation of office space directly from M/S Godrej (from a single source) under the provisions of Rule 154 of the GFRs.</p>
28 (A-18)	Redevelopment of Connaught Place : Amendment to Consultancy Agreement (Turnkey Consultancy)	<p>Resolved by the Council to approve the following:-</p> <p>i. To enter into Turnkey consultancy agreement with M/S Engineers India Limited for the work relating to Redevelopment of Connaught Place as well as administrative approval &amp; expenditure sanction of Project Report for Rs. 615.20 crores to be funded under JNNURM/Govt. of Delhi/Local Body.</p> <p>ii. To authorize Chairman, NDMC to nominate an officer to sign Turnkey Consultancy Agreement on behalf of NDMC.</p> <p>iii. Closure of earlier agreement &amp; transfer of all documents/works to M/S EIL on "as is where is basis" by the NDMC.</p> <p>iv. Reimbursement of fee to M/S Engineers India Limited for preparation of Detailed Project Report for funding under JNNURM. The amount will be limited to the reimbursement by Ministry of Urban Development, under JNNURM guidelines, for preparation of detailed Project Report.</p> <p>v. An advance payment of Rs. 50 crores i.e. roughly 10% of Rs. 550 crores to be deposited in "EIL-CP Project Account" for taking the works on turnkey basis by EIL, after sanction of funds under JNNURM.</p> <p>vi. Formation of Project Coordination Committee to monitor the progress of the project and give decisions/approval during execution.</p>
29 (A-19)	Imp./Upgradation of Shivaji Stadium. SH : Const. of Sports Facility Block, Hockey Stadium warm-up pitch two level	Resolved by the Council to award the work to M/S China Railway Shisiju Group Corporation at tendered amount of Rs. 1,60,27,16,430/-, which is 98.23% above the Estimated Cost of Rs.80.85

	<p>basement for parking, including electrical, fire-fighting &amp; protection, HVAC, Lift etc. complete as a composite work.</p>	<p>crores and the variation between the tendered cost and justified cost is 9.39% (above) ; being a competitive bidding.</p> <p>It was further resolved by the Council to accord administrative approval &amp; expenditure sanction as per following details:-</p> <ul style="list-style-type: none"> <li>(a) Improvement/upgradation of Shivaji stadium (Rs. 185 crores approx.)</li> <li>(b) Improvement/upgradation of Talkatora Indoor Stadium (Rs. 150 crores aprox.)</li> </ul> <p>It was further decided that the deptt. may take necessary action in anticipation of confirmation of the minutes by the Council.</p>
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**ITEM NO. 02 (C – 7)**

Confirmation and signing of the minutes of the Council's Special Meeting No. 03/2008-09 dated 06.05.2008 held through circulation of agenda. **(See page 12).**

**COUNCIL'S DECISION**

Minutes confirmed by the Council subject to the condition that the proposed License Fee in respect of hawking on cycle for un-cut fruits & vegetable etc., water trolley, and vengis shall be kept in abeyance and continue to be charged as per previously existing rates.

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

**MINUTES OF THE COUNCIL'S SPECIAL MEETING NO.03/2008-2009 HELD ON**  
**06.05.2008 THROUGH CIRCULATION OF AGENDA.**

<b>ITEM NO.</b>	<b>SUBJECT</b>	<b>DECISION</b>
1. (E – 1)	Revision of Licence Fee regarding regulation of various trade licenses in NDMC area.	Resolved by the Council that the proposal of increase in license fee for regulation of various trade in NDMC is approved.

**ITEM NO. 03 (A – 20)****1. Name of the Subject / Project :**

**Construction of Subways/Foot Over Bridges in NDMC area.  
Finalization of location of Foot Over Bridges/subways/Underpass.**

**2. Name of the Department :**

Civil Engineering Department, Executive Engineer (RIP)

**3. Brief History / Detailed Proposal of the subject/ project :**

(a) The proposal of construction of foot over bridges with lift facilities in NDMC on BOT basis at following eight locations was approved in principle by the Council on 26<sup>th</sup> August, 2005.

- Aurbindo Marg near Safdarjung Airport.
- Aurbindo Marg near Delhi Haat/INA Market.
- Africa Avenue opposite S.N. Depot.
- Park Street near R.M.L. Hospital.
- Mandir Marg near St. Thomas School.
- Baba Kharak Singh Marg, Bangla Sahib Road, T-Junction.
- Shahjahan Road near UPSC.
- Mother Teresa Marg near Gate No.31, Presidential Estate.

(b) Accordingly the proposal was initiated to appoint the consultant for design, preparation of estimate etc. of FOB's and then issue tenders based on the approved design. Initially three consultants made the presentation of conceptual plan out of which only one was short-listed. But the short-listed consultant also didn't turn up thereafter. It was, therefore, decided to re-examine the whole issue of construction of FOB's on BOT basis. After re-examination it was found that at following locations humped subways can be constructed due to reasons indicated against each.

- Shahjahan Road : The elevated structure at Shahjahan Road may not be suitable as this will block the view of India Gate from Shahjahan Road.
- Mandir Marg : Sufficient space is available for the construction of subway to maintain aesthetic of the area.
- Baba Kharak Singh Marg : Underpass-cum subway can be constructed to facilitate the smooth flow of vehicles making U turn near Gurudwara Bangla Sahib & in front of Police Station.

- Africa Avenue : Sufficient space is available for the construction of subway.

(c) Foot Over Bridges were found feasible at following locations:-

- Aurbindo Marg near Safdarjung Airport : The subway cannot be constructed as underground metro train is passing through.
- Aurbindo Marg near Delhi Haat/INA Market : The underpass/subway cannot be constructed as underground metro train is passing through.
- Park Street near R.M.L. Hospital.
- Mother Teresa Marg at gate No.31, Presidential Estate.
- Tilak Marg : Not originally planned but there is a demand of the residents of Tilak Marg for the foot over bridge near W-Point.

(d) Besides there is also a need to construct underpass on Shantipath near Moti Bagh flyover.

(e) Accordingly approval in principle was accorded by the Competent Authority for construction of FOB's and humped subways at above locations.

(f) A meeting was also held by the Hon'ble MOS (UD) on 29<sup>th</sup> Nov.'07 in which Chairman, NDMC and Secretary were present. Hon'ble Minister desired that construction of FOB's be taken up on the fast track. Chairman, NDMC agreed to put the project on fast track so that construction can commence in next three months. Minutes of the meeting was issued wherein it has been desired that all such works shall be completed by December, 2008.

(g) Accordingly, DIMTS were engaged as the consultants for construction of Foot Over Bridges/Subways/Underpass in NDMC area. M/s DIMTS have carried out a detailed survey of all proposed ten locations. Based on the survey carried out a detailed presentation was made by M/s DIMTS indicating the study carried out at all **ten** locations and type of grade separator at these locations depending upon the present volume of traffic vis-à-vis pedestrians. Another presentation was made by M/s DIMTS to NDMC officials on 3<sup>rd</sup> April, 2008. The summary of the type of grade separator recommended by DIMTS and as discussed and deliberated during presentation on 3<sup>rd</sup> April is as follows:-

<b>S. No.</b>	<b>Location</b>	<b>Type of Grade Separation recommended</b>	<b>Suggestion/remarks</b>
1	Near Dilli Haat, Aurbindo	-	DMRC station. So subway is

S. No.	Location	Type of Grade Separation recommended	Suggestion/remarks
	Marg		not required.
2	Near S.N. Depot, Africa Avenue	F.O.B.	Bus shelters to be relocated wherever possible to optimize the use of FOB.
3	Near St. Thomas School, Mandir Marg	F.O.B./Subway	FOB may not blend well with Heritage Building of Gole Market & N.P. Boys School. So subway has been proposed as alternate option.
4	Near Hanuman Vehicular Temple, BKS underpasses Marg	Vehicular underpass	The underpasses can be connected with Multi level car parking being developed at BKS Marg.
5	Near ROB, Shanti Path	Vehicular/ Pedestrian at grade underpass	
6	Near UPSC Shahjahan Road	Subway	Keeping in view the heavy pedestrian movement near UPSC subway has been proposed.
7	Near Safdarjung Airport, Aurobindo Road	-	Pedestrian pathway is proposed to be integrated with the Metro station subway.
8	Near RML Hospital, Park Street	Subway (Ramped)	(a) For ease of use by wheel chair bound patients/ commuters. (b) Shops for medicine & related items
9	Near Presidential Estate Gate No. 31, Mother Teresa Crescent	F.O.B.	FOB will also cater to the pedestrian traffic during Commonwealth Games 2010.
10	Near W-Point, Tilak Marg	-	Since this connects the roads being owned by MCD/PWD/ NDMC & one artery being developed as BRT, the feasibility of the subway as GNCTD/TPT Deptt. Project needs to be examined in detail.

- (h) (i) Out of 10 locations FOB's have been recommended at two locations, subways at three locations and vehicular underpass at two locations.
- (ii) At Aurbindo Marg, near Safdarjung Airport & Dilli Haat it has been proposed to construct pedestrian pathway which will be integrated with Metro Station subway being constructed by DMRC.
- (iii) At Tilak Marg W Junction four way pedestrian subways has been recommended by DIMTS. However, during presentation it was agreed that since this four way pedestrian subway at Tilak Marg W point connects the

roads being owned by MCD/PWD/NDMC and one artery being developed as BRT, the feasibility of this subway needs to be examined separately in detail.

- (j) M/S DIMTS has recommended that if due to some aesthetic reasons FOB's are not accepted by DUAC, the alternate option of humped subway can be provided at these locations.
- (k)
  - (i) The site at Sl.No. 2 & 5 i.e. Shantipath near Railway Line and Africa Avenue near S.N. Depot were discussed and site was visited with Sh. Ashok Ahuja, MLA & Member, NDMC on 12 Apr.'08. Sh. Ashok Ahuja, MLA & Member, NDMC has agreed for these two locations.
  - (ii) The site at Sl.No. 8 i.e. Park Street near RML Hospital was discussed with Medical Superintendent of RML on 10 Apr.'08 and he has agreed for the proposed site.
  - (iii) The site at Sl.No. 9 i.e. Mother Teresa Crescent was discussed with CPWD and DCP (Security), Rashtrapati Bhawan and they have agreed for construction of FOB on Mother Teresa Crescent.
  - (iv) The site of Sl.No. 4 i.e. Vehicular underpass at BKS Marg will be studied further in consultation with DMRC as Airport Express Line is coming below BKS Marg.
  - (v) Since Gole Market and N.P. Boys School have been declared as "Heritage Structures". FOB (Sl. No. 3) may not be feasible here. So it is suggested to have subway here.
  - (vi) The issue whether to go on PPP mode or not will be decided after these locations are approved and necessary details worked out by M/S DIMTS
  - (vii) The case is now placed before the Council to accord approval in principle to the type of grade separators at the locations indicated above.

#### **4. Financial Implications of the proposal :**

Financial implications will be worked out after accord of approval of the locations of grade separators by the Council.



**5. Implementation schedule with timelines for such stage including internal processing :**

The implementation schedule with timelines will be worked out after accord of approval by the Council.

**6. Comments of Finance Department on the Subject :**

No comments at this stage, as financial implication has not been worked out.

**7. Comments of the Department on the comments of the Finance Department:**

No comments

**8. Details of previous Council Resolution existing Law of Parliament & Assembly on the subject.**

- (i) The Council vide Reso. No.11(A-13) dated 26<sup>th</sup> August, 2005 had approved in principle the construction of **Eight** foot over bridges on BOT basis.
- (ii) Council has accorded the approval in principle to engage DIMTS Ltd. as a consultant for construction of Foot Over Bridges/Subways/Underpasses in NDMC area and enter into the agreement with DIMTS after finalization of terms and conditions and consultant fee vide item No.17 (A-58) dated 19.12.2007.

**9. The comments of Law Department on the subject:**

At this stage no legal point is involved. This has our concurrence, but department may ensure that facts and figures mentioned therein are correct and are as per approval of the competent authority.

**10. Comments of the Department on the comments of Law Department.**

It is ensured that facts and figures mentioned therein are correct and are as per approval of the competent authority

**11. Recommendations :**

The case is placed before the Council for accord of approval of type of grade separators indicated in para 3 (g) at **seven** locations so that DIMTS can be asked to prepare detailed drawings/design.

**COUNCIL'S DECISION**

Resolved by the Council to accord approval to the type of grade separators at seven locations indicated in para 3(g) of the agenda.

It was further resolved by the Council that DIMTS be asked to prepare detailed drawings/design, in anticipation of confirmation of the minutes by the Council.

**ITEM NO. 4 (A – 21)****1. Name of the Subject / Project :**

Desilting / cleaning of main sewer lines by Super Sucker Machine in NDMC area.

**2. Name of the Department :**

Civil Engineering Department, Sewerage Maintenance Division.

**3. Brief History of the live subject / project**

The existing sewerage system of NDMC area which was laid during the pre-independence period has become inadequate as the cross-sectional area of the lines has got reduced considerably due to deposition of silt. These lines have seldom / never been desilted. In order to increase their discharge carrying capacity, these lines require immediate desilting. By carrying out desilting operation the carrying capacity would increase considerably thus giving them a new lease of life. A Preliminary Estimate for desilting of some of the such lines has been framed as a pilot project. Some of the lines included in the estimate are North Avenue, Talkatora Road, Panchquian Road to R.K. Ashram Marg, Mother Tressa Crescent, Baba Kharak Singh Marg, President Estate to Ashoka Road, Sansad Marg to Patel Chowk, R.K. Ashram Marg, Rajendra Prasad Road, K. G. Marg, Bhagwan Das Lane, Barakhamba Road Copernicus Marg, Chelmsford Road, C- Hexagon, GPO Round about, 'B. Avenue, Aurangjeb Road, Shahjahan Road and 'Q' Point to Lodhi Road etc.

**4. Detailed proposal on the subject / Project :**

A preliminary estimate has been processed for carrying out desilting operation of the above noted sewer lines mechanically using Super Sucker System to be engaged on contract. The work shall be carried out based on the latest CPWD specifications. By cleaning of these lines the effective cross-sectional area of the lines would increase thereby increasing their capacity to carry the discharge. The work also includes carrying out CCTV survey of the lines after desilting.

**5. Financial Implication of the proposal :**

The estimated cost of the work is Rs.7,88,81,000/- (Rupees seven crore eighty eight lac eighty one thousand only) including 3% contingencies.

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

**The time schedule is as under:-**

(a)	Approval of detailed estimate	:	One & Half Month.
(b)	Approval of NIT	:	15 Days
(c)	Tender processing	:	Two Months
(d)	Completion of work	:	3 Months.

**7. Comments of Finance Department on the Subject:**

Comments of the finance department are as under:-

"Taking into consideration the statement of the department that there is no overlapping of lines and the same will further be ensured during detailed planning stage, we concur in the scheme having estimated cost of Rs.7,88,81,000/- (Rupees seven crore eighty eight lac eighty one thousand only) as checked by Planning at P-18/N provided department brings the information on record as approved by the Chairman at 'X' on P-10/N while obtaining A/A & E/S for this project from the competent authority. Adequacy of funds may also be ensured before incurring liability thereof."

**Approval by the Chairman at 'X' on Page-10/N on the noting of Finance Advisor.**

Juxtaposing both the options on record (pages 2-3/N & 8-9/N) i.e. owning Super Sucker Machine etc. at an estimated cost of Rs.2,10,48,000/- and outsourcing the de-silting work, department has finally favoured the latter option because of constraints listed at 'Y' on page 8-9/N. F.D. is inclined to agree the outsourcing the work as proposed by the department at 'X' on page-9/N. It should, however, be noted that super sucker machines for de-silting work should be deployed only after ensuring that already available two pressure jetting machines and two sucker machines are not capable/adequate to take care of the quantum of work at site. In other works outsourcing should not be at the cost of optimum utilization of machines made available to the department. For this, it is suggested that a study of the entire network of sewer lines in NDMC area may be done with a view to identify the lines to be got de-silted by deploying departmental machinery for its optimum utilization round the year and the lines to be got de-silted through outsourcing, as is being done in the case of road/footpath improvement. All codal formalities need to be followed while opting the route of outsourcing.

**Remarks of Chairman** " I agree with the views of Financial Advisor as above. Please ensure compliance."

**8. Comments of the Department on the comments of the Finance Department:  
Presently the existing fleet of 2 no. sewer sucker machines is being deployed for:-**

- (1) Desilting of sewer lines
- (2) Giving temporary relief to blocked sewer lines till the blockages are removed.

It may be stated here that the capacity of these machines is 600 cum/hr and are capable of sucking solid particles from sewer lines upto 40mm size only. As such they are not capable of desilting lines of larger dias / barrels where solid particles of larger size are common. These barrels / large sized lines have seldom been desilted and require immediate cleaning for which deployment of sucker system is a must. The capacity of the super sucker system is 4500 cum./ hr and can suck the solid particles upto 100mm size. Some of such lines which can be got cleaned using super sucker machines have been identified as:-

<b>S.No.</b>	<b>Location</b>	<b>Dia (in mm)</b>	<b>Approx.length (in Metres)</b>
1	North Avenue	300	1500
2	Talkatora Road	300	750
3	Panchquian Road to R.K. Ashram Marg	300	1500
4	Mother Tressa Crescent	300	685
5	Baba Kharak Singh Marg,	450	640
6	President Estate to Ashoka Road	450	1450
7	Sansad Marg to Patel Chowk	450	1000
8	R.K. Ashram Marg	450	315
9	Copernicus Marg	900	1000
10	Chelmsford Road	900	1000
11	C- Hexagon	900 2135	961 1500
12	GPO Round about	600 to 900	150
13	'B. Avenue	1675	2980
14	Aurangjeb Road	1675	650
15	'Q' Point to Lodhi Road	1675	1700
16	Shahjahan Road	1675	800
17	Bhagwan Das Lane	1675	401
18	Rajendra Prasad Road	450 600	500 600

19	K.G. Marg	900	1350
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The super sucker machines would be deployed for desilting of larger dia lines and the existing departmental fleet would be used for smaller dia lines. This dividing line would be adhered to for optimum utilization of all machines.

Also, hitherto lines were getting cleared manually too, wherever required, but as per directions of High Court in a PIL case manual cleaning has to be phased out by introduction of latest state of the art machinery as in foreign countries. Thus, these machines would also fulfill the requirement of doing away with manual cleaning.

All codal formalities will be followed while outsourcing the work. As regards availability of funds, the same would be sought in the RE-2008-09

**9. Legal Implication of the subject**

No comments.

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

Not applicable.

**11. The comments of law Department on the subject:**

Not applicable.

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

Not applicable.

**13. Recommendation :**

The case is placed before the Council to accord Administrative Approval and Expenditure Sanction for Rs.7,88,81,000/- (Rupees seven crore eighty eight lac eighty one thousand only) for the work of "Desilting / cleaning of main sewer lines by Super Sucker Machine in NDMC area" and to accord approval for processing detailed estimate and NIT in anticipation of approval of Preliminary Estimate.

**COUNCIL'S DECISION**

(i) Resolved by the Council to accord administrative approval & expenditure sanction amounting to Rs.7,88,81,000/- for the work of Desilting/cleaning of main sewer lines by Super Sucker Machine in NDMC area.

(ii) It was also resolved that further necessary action for processing detailed estimate and NIT be taken in anticipation of confirmation of the minutes by the Council.

**ITEM NO. 5 (A – 22)****1. Name of the subject/project:**

Sub.: S/R of Roads in NDMC area.

S.H.: Providing and laying Mastic Asphaltic wearing course at Kaka Nagar colony service roads

**2. Name of the Department**

Civil Engineering Department, Road-I Division

**3. Brief history & Detailed proposals of subject/project**

- (a) Administrative Approval and Expenditure Sanction for Rs. 96,08,000/- was accorded by the Council vide Reso. No. 3 (A-42) dated 12.02.2007 for the subject work. Thereafter, the tender were invited and work was awarded to M/s Wilco Engineers at 15.53% above the estimated cost of Rs. 62,41,799/- at the tendered amount of Rs. 72,11,390/-.
- (b) During the execution of work additional quantities amounting to Rs.23,75,040.48 which works out to 35% deviation of agreement quantity has been carried out as per the site requirement and as considered necessary during the inspection of Vice Chairperson, NDMC along with representative of Welfare Association of Kaka Nagar on 10<sup>th</sup> July'07 and 17<sup>th</sup> Sep.'07, respectively.
- (c) The work on account of additional quantities was carried out after accord of approval in principle by the Competent Authority.
- (d) Due to execution of additional quantities revised administrative approval is not required because the total expenditure including additional quantities works out Rs.98,10,046.52 which within permissible variation of 10% of administrative approval and expenditure sanction of Rs. 96,08,000/-.
- (e) The case is placed before the council for Ex-post-Facto approval of additional quantity statement no. III amounting to Rs.23,75,040.48.

**4. Detailed proposal on the subject/project:**

25 mm thick bitumen mastic asphaltic course has been provided on service roads and all approaches of Garages of Kaka Nagar colony after applying tack coat with paving bitumen 80/100 @ 0.5 Kg/Square metre

**5. Financial implications of the proposed subject/project:**

The Financial implication of the proposal works out to Rs. 23,75,040.48.

**6. Implementation schedule with timelines for such stage including internal proceeding**

The work has been completed on 20 Nov.'07.

**7. Comments of the Finance Department on the subject :**

- (i) Finance has observed that this is a post facto approval for which they have got no comments to offer. They have pointed out Additional Quantity Statement No. 3 amounts to Rs. 23,75,040/- and not Rs. 24,27,018.18 and have requested to make necessary correction for the draft agenda.
- (ii) It has also been observed that against approval in principle of Rs. 9.84 lacs by Chairman the Department as resorted to deviation to the extent of about 24 lacs stating to be the requirement at site.

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

- (i) Necessary correction has been made in the Agenda.
- (ii) Approval in principle was accorded by E-in-C for Rs. 14.40 lacs and Chairman for Rs. 9.84 lacs as per deviation limit of agreement i.e. 20% and beyond 20-35% respectively.

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

The Administrative Approval and Expenditure Sanction for Rs. 96,08,000/- was accorded by the Council vide item no. 3 (A-42) dated 12 Feb.'07

**10. Comments of the Law Department on the subject :**

N.A.

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

Nil



**12. Recommendations :**

The case is placed before the Council for consideration & for accord of Ex-Post-Facto approval of Additional Quantity statement no. III amounting to Rs. 23,75,040.48 for the work S/R of roads in NDMC area. SH: Providing and laying Mastic Asphaltic wearing course at Kaka Nagar colony service Roads

**COUNCIL'S DECISION**

Resolved by the Council to accord ex-post facto approval for Additional Quantity Statement No. III amounting to Rs. 23,75,040.48 for the work "S/R of roads in NDMC area. SH. Providing and laying Mastic Asphaltic wearing course at Kaka Nagar Colony service roads".

**ITEM NO. 6 (A – 23)****1. Name of the Subject:**

Strengthening of Water Supply System in NDMC Area.

Sub Head : Procurement of water meter of ISO Mark of various sizes.

**2. Name of the Deptt.:**

Civil Engineering, Public Health Circle, Water Supply Division.

**3. Brief History of the Subject**

A preliminary estimate amounting to Rs.1,02,58,000/- was originally approved by the Council vide Resolution No. 3(iii) dt. 30.08.2000 for procurement of 4180 Nos. water meters of 15mm dia to 150mm dia sizes. Thereafter, a detailed estimate amounting to Rs.62,83,700/- was technically sanctioned by the competent authority for procurement of water meters. Tenders were invited in Feb. 2005 but the same were rejected by the Council vide item No. 02(A-18) dt. 23.11.05 as per decision given hereunder :

“Director (Commercial) shall put up a separate paper for facilitating decision on the issue of providing meters by the private consumers. Further, Director (Commercial) will undertake survey to ascertain number of defective meters.

The tenders be rejected and further action be taken only after issue at Sr. No. 1 is decided. It was also decided to allow consumers to install their own meters approved by appropriate authority for which wide publicity will be given.

Director (Commercial) will also submit a paper on water audit”.

Though Director (Commercial) could not decide any policy, the case was, however, put up on 29.06.07 for approval to re-invite the tenders. After obtaining the approval of the competent authority, tenders were recalled for 30.11.2007. After scrutiny of the tender, at various levels, when the case was at the final stage and draft agendum put up for noting the case to the Council. Director (Commercial) pointed out the need for replacement of defective water meters of consumers in NDMC area which were around 29000 Nos. and put up details giving thereby the size-wise details of connections installed in NDMC Area :-

Size (in mm)	Total Nos. of connections	Meter Required
--------------	---------------------------	----------------

15	26787	28000
20	1095	1100
25	401	500
40	200	225
50	151	175
80	90	100
100	41	50
150	31	35
200	3	5
<b>TOTAL</b>	<b>28,799</b>	<b>30,200</b>

In view of procurement of 28000 water meters 15mm dia through DJB instead of 3000 earlier proposed, the necessity of revision in A/A & E/S has cropped up. Accordingly, a revised A/A & E/S has been framed for Rs.3,96,28,000/- with net excess of Rs.2,93,70,900/- over the original PE amounting to Rs.1,02,58,000/-.

#### **4. Detailed Proposal of the Subject :**

As the case for procurement of water meter by NDMC has been in process, as per decision taken 15mm dia water meters, 28000 Nos. are to be procured through DJB. Accordingly, a revised preliminary estimate has been prepared for procurement of water meter from 15mm to 200mm as per details given hereunder :-

1.	15mm dia meter multijet	-	28000 Nos.
2.	20mm dia meter multijet	-	400 Nos.
3.	25mm dia meter multijet	-	300 Nos.
4.	40mm dia meter multijet	-	200 Nos.
5.	50mm dia meter multijet	-	100 Nos.
6.	50mm dia meter woltaman turbine	-	50 Nos.
7.	80mm dia meter woltaman turbine	-	50 Nos.
8.	100mm dia meter woltaman turbine	-	50 Nos.
9.	150mm dia meter woltaman turbine	-	30 Nos.
10.	200mm dia meter woltaman turbine	-	10 Nos.

Provision has also been made in the estimate for maintenance of water meters for 5 years after warranty period and procurement of water meter strainers

#### **5. Final Implications of the Proposed Subject :**

The Revised Preliminary Estimate amounting to Rs.3,96,28,000/- with net excess of Rs.2,93,70,900/- over the original P.E. amounting to Rs.1,02,58,000/-, has been framed and duly scrutinized by SSW's Office. There is a budget provision for Rs.60 lacs vide item No. 285.6 Page No. 179 in the budget book for the year 2008-09.

**6. Implementation Schedule with Timeliness for each stage including Internal Processing :**

After accord of revised A/A & E/S estimate by the Council for Rs.3,96,28,000/- the following time schedule will be implemented :-

- |    |                             |   |          |
|----|-----------------------------|---|----------|
| a) | Procurement of Water Meters | - | 6 Months |
| b) | Replacement of Water Meters | - | 6 Months |

**7. Comments of the Finance Department on the Subject :**

The Finance Department on 6.5.08 vide page-3/N while giving no objection to processing the proposal for procurement of 15mm dia 28000 water meters through DJB observed to ensure as under :-

“(i) the rates at which DJB is procuring these meters are lower than the rates received in the call of the tenders in NDMC with specifications/quality of water meters not inferior in any way to the quality of meters stipulated in NIT of NDMC, (ii) there will not be any addition on the cost of meters in the shape of departmental charges etc. by DJB (iii) DJB has followed provisions of GFR in procurement of the meters in question & (iv) quantity of meters to be purchased is as per requirement at site”.

**The Finance Department while scrutiny of the revised preliminary estimate have observed as under :-**

“We concur in the revised estimate amounting to Rs. 3,96,28,000/- (Rupees Three crores ninety six lacs twenty eight thousands only) with net excess of Rs.2,93,70,900/- over the original PE amounting to Rs. 1,02,58,000/- as checked by Planning and proposed by the department subject to availability of funds and compliance of observations dated 6.05.08 of FD at P.3/N, before placing order on DJB for 15mm dia meters. The department may,

however, ensure that replacement of all the water meters of 15mm dia is actually needed at site and there will be no excess stocking of the item in question.

This issues with the prior approval of F.A.”

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

With regard to the above observations of Finance Department, it is clarified that there is a budget provision for Rs. 60 lacs vide item No. 285.6 Page No. 179 in the budget book for the year 2008-09. As regards compliance of observations dt. 6.5.08 at page 3/N, it is clarified that a letter to C.E.O, Delhi Jal Board has been sent by Chairman, NDMC for procurement of 15mm dia 28000 Nos. water meters and to communicate to NDMC the financial implications and other terms and conditions for further action at this end. Reply is yet to be received from Delhi Jal Board. As regard quantity of 15mm dia water meter, the same has been taken as proposed by Director (Commercial).

**9. Legal Implication of the Subject :**

Not applicable

**10. Details of Previous Council Resolutions, Existing Law of Parliament and Assembly on the Subject :**

At the time of approval of P.E. originally for Rs. 1,02,58,000/-, the Council vide Resolution No. 3(iii) dt. 30.08.2000 resolved as under :-

“Resolved by the Council that administrative approval and expenditure sanction to the preliminary estimate amounting to Rs. 1,02,58,000/- is accorded.”

**11. Comments of the Law Department on the Subject :**

Not applicable

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

Not applicable

**13. Recommendations :**

The case is placed before the Council for consideration and accord of (i) administrative approval and expenditure sanction to the revised preliminary estimate amounting to Rs. 3,96,28,000/- (Rupees Three crores ninety six lacs twenty eight thousands only) with net excess of Rs. 2,93,70,900/- over the original P.E. amounting to Rs. 1,02,58,000/- and (ii) procurement of 15mm dia 28000 Nos. water meters from Delhi Jal Board.

**COUNCIL'S DECISION**

(i) Resolved by the Council to accord administrative approval & expenditure sanction to the revised preliminary estimate amounting to Rs.3,96,28,000/- over the original preliminary estimate amounting to Rs.1,02,58,000/-.

(ii) It was also resolved that 28000 Nos. water meters of 5mm dia be procured from Delhi Jal Board.

**ITEM NO. 7 (A – 24)****1. Name of the Project**

**Name of Work:- Development of various Markets in NDMC area**  
**Sub – Head:- Façade Improvement for Yusuf Zai Market. –P.E. Thereof.**

**2. Name of the Department Concerned**

Project Leader(Janpath), Civil Engg. Deptt.

**3. Brief History of the Project**

Yusuf Zai Market exists on the outer circle of Connaught Place and starts from State Entry Road to Shankar Market. It has 106 shops and needs Façade Improvement work keeping in view the forthcoming Common Wealth Games 2010. Traders Association have a long demand for this face lifting work. A meeting was arranged in the chamber of CE(C-II) on 23/10/2007 where members of Yusuf Zai market called "Connaught Place Traders Association" were also present. After detailed discussions, it was decided that DCA will prepare a detailed drawing for façade improvement work for the stalls of Yusuf Zai Market and NDMC will improve façade of two sample shops.

This case was placed before the Council for conceptual approval of the scheme, which has been duly approved by the Council in its meeting held on December 19<sup>th</sup>, 2007 vide item no. 03(A-57) and the same is placed as **Annexure "A". (See page 37 - 39)**

**4. Detailed Proposal of the Project Proposal**

It is proposed to improve Façade of all the 106 shops of Yusuf Zai market by providing ACP cladding. Façade Improvement work requires shifting of front loft wall of the shops to match the front profile of the market as per finished sample shop. The cost of internal changes in shops like shifting of front wall, roof etc. will be borne by individual stall holders as agreed to by the Traders Association & final façade improvement work will be taken up by NDMC. Permission letters for shifting of front wall, etc. will be issued by Project Leader(Janpath) in consultation with the Dir.(Estate) and the execution will be taken up on the basis of approved drawing by CA under the supervision of Project Team comprising of Project Architect, Project Leader(Janpath), AE, JE and representative of Estate department. There are three single storey stalls in Yusuf Zai Market which are required to be made at par with other stalls of the Yusuf Zai Market by construction of loft floor. Permission letters for these stalls will be issued by Project Leader after getting the draft vetted by Director (Estate) under the same procedure as adopted for issuing permission for the stalls of Janpath Road Berm Market. Licence fee for the same will be enhanced by Director (Estate) as per NDMC policy.

## **5. Scope of Work:**

Preliminary Estimate amounting to Rs. 1,34,80,500/- were framed for "Façade Improvement for the Yusuf Zai Market" which have been duly checked by the planning division, has the following scope of work:

- i. Shifting of front loft wall of shops of Yusuf Zai Market on the basis of finished sample shop. Permission letters will be issued by Project Leader(Janpath) in consultation with the Dir.(Estate) and cost of which will be borne by individual shop keeper.
- ii. There are 106 stalls in Yusuf Zai Market which are on the road berm and out of these, three stall no. 22, 26 & 67 are single storey stalls which are required to be made at par with other stalls of the Yusuf Zai Market by construction of loft floor so that uniformity would be maintained. As such approval may be accorded and accordingly permission will be granted to these three single storey stalls for construction of loft floor. Permission letters will be issued by Project Leader(Janpath) in consultation with the Dir.(Estate) and cost of which will be borne by individual shop keeper.
- iii. Façade Improvement of all the 106 stalls on the basis of finished sample stall no. 88.
- iv. Uniform Flex Sheet signage for all the shops.
- v. Designer CC tiles on footpath.
- vi. Electric Cable duct for electric cables.
- vii. Side walls of corner shops to be finished for advertisement panels.

## **6. Financial Implication of the Project**

Preliminary Cost of the Project is around Rs. 1,34,80,500/-

## **7. Implementation Schedule**

D.E and N.I.T	- 30 <sup>th</sup> June, 2008
Call of Tenders	- 15 <sup>th</sup> July, 2008
Award of work	-31 <sup>st</sup> Aug. 2008
Completion of work	- One year from the date of start

## **8. Comments of the Finance Deptt. on the subject:**

Finance Deptt. has, in principle, no objection on the project subject to the following comments for appropriate action:

- a) It is not clear from the record as to under which category (temporary, semi-permanent or permanent) do these shops lie? If these shops fall in a category other than permanent, it needs to be checked that the improvement



work to the extent as stipulated in this estimate does not change the status/category.

- b) Improvement to the extent as proposed must not violate the laid down policy of the Council and/or the Govt. of India(the extant policy may adequately be discussed/brought on record).
- c) The status of the land on which these shops are situated should be clear.
- d) NDMC has allotted these shops on license basis. Is the license fee proposed to be revised pursuant to improvement being proposed and if so details thereof,.
- e) Views of Director(Estate)may be taken to ensure that the provisions taken in the estimate conform to the policy, if any, got approved by the Estate Deptt.
- f) Complete details of the existing and proposed structure may be elucidated as decided by the Council as per resolution referred to above.
- g) It may be ensured that the nature of work as proposed to be taken up does not require permission from DUACC or any other authority.
- h) DPR in terms of Standing Orders issued has not been prepared.

**9. Comments of the Department on the comments of Finance Department:**

Director (Estate) has offered their comments for observation c, d & e of the Finance and the consolidated comments of Civil Deptt. and Estate Deptt. are as under:-

- a) The structures are semi-permanent in nature and are made up of Brick work, T-iron & sand stone roof and improvement work does not change the status/nature of structure.
- b) In view of the Common Wealth Games 2010, NDMC is geared up for the Façade improvement for various markets of NDMC area and has already completed Façade improvement works for Janpath Road Berm Market & Tibetan Market. Some of the other markets which are in queue are as under:-
  - a. Janpath Mini Market
  - b. Gujrathi Market
  - c. Yusuf Zai Market
  - d. Shanker Market

Improvement work as proposed does not violate the laid down policy of the Council and/ or Govt. of India.

- c) As clarified by Director (Estate), the shops are situated on the Road Berm.
- d) The rate of License fee will be charged under FR -45 B.
- e) Estate Deptt. has no objection for up gradation of the market.
- f) There is no change in existing and proposed structure, both the structures are of brick work, T-iron and Sand Stone Roof except shifting of front loft wall of shops

to match the front profile of the market and construction of the loft floors for three single storey stalls. Other details are mentioned in the scope of work

- g) Façade Improvement work is being done on the basis of drawings prepared and issued by the Project Architect (Architect Deptt.) of local body i.e., NDMC and present proposal is in continuation of the already completed façade improvement works of Janpath Road Berm Market & Tibetan Market, for which approval from DUAC or any other authority was also not required/ obtained, placed for consideration.
- h) As the scheme is already conceptually approved by the Council, no DPR is required and detailed proposal was mentioned in the Agenda itself during conceptual approval.

**10. Legal implications of the Subject/Project:**

-Not applicable-

**11. Details of previous Council Resolution, existing law of Parliament & Assembly on the subject:**

Scheme has already been conceptually approved by the Council in the Council Meeting held on 19.12.2007 vide Item No. 03 (A-57)

**12. Comments of the Law Department on the subject/project.**

Nil

**13. Comments of the Department on the comments of the Law Deptt.:**

Nil

**14. Recommendations:**

- i) Preliminary Estimate amounting to Rs. 1,34,80,500/- for "Development of various Markets in NDMC area Sub – Head:-Façade Improvement for Yusuf Zai Market duly concurred in by the finance department is recommended for A/A & E/S of the Council.
- ii) Recommended for accord of approval for granting permission for shifting of front loft wall of shalls of Yusuf Zai Market to match front profile of the market. Permission letters will be issued by Project Leader in consultation with Dir. (Estate).

- iii) Recommended for accord of approval for granting permission to construct loft floor to stall no. 22, 26 & 67, presently which are single storey stalls, for uniformity. Permission letters will be issued by Project Leader (Janpath) in consultation with Dir. (Estate).

#### **COUNCIL'S DECISION**

(i) Resolved by the Council to accord administrative approval & expenditure sanction to the preliminary estimate amounting to Rs.1,34,80,500/- for "Development of various markets in NDMC Area, SH: Façade Improvement for Yusuf Zai Market".

(ii) It was further resolved by the Council to accord approval and grant of permission for shifting of front loft wall of stalls of Yusuf Zai Market to match front profile of the market as well as to grant permission to construct loft floor in stall No. 22, 26 & 67, which are single storey stalls, for the sake of uniformity.

It was also resolved that Permission letters be issued by Project Leader (Janpath) in consultation with Director (Estate).

**Annexure**



**Annexure End**

**ITEM NO. 8 (B – 2)****1. NAME OF WORK:****Purchase of LT (XLPE) Cables of Sizes 3.5C x 300 sq.mm.****2. DEPARTMENT:****ELECTRICITY DEPARTMENT****3. BRIEF HISTORY OF THE PROPOSAL:**

Council vide resolution No. 17 (B-25) dated 19.09.07 accorded in principal approval to process purchase cases in anticipating of sanction of estimates, 10 KM, LT, XLPE Cable of size 3.5C x300 sq.mm was included in the above proposal for purchase.

**4. DETAILED PROPOSAL ON THE SUBJECT:**

Sealed tenders were invited for purchase of 10 KM, LT, XLPE Cable of size 3.5C x 300 sq. mm. in accordance with Codal provisions. In response to tender enquiry offers from 13 firms were received. After scrutiny of techno-commercial offers of all the participating firms in the department, price bids of eligible firms were opened with due approval of CE (E-II). M/s Havell's' India Ltd emerged the lowest tendering firm at their quoted rates of Rs. 5,10,700/- (Ex-works) per KM + ED @ 16.48% + CST @ 1% against Form-C + F & I @ Rs.5100/- per KM with a total computed cost of Rs.60,59,120/- for 10 KM length of cable. Case was scrutinized in the department and recommended for purchase from the lowest eligible firm.

Based on the recommendations of department, facts of the case and justification of rates, finance concurred in the proposal of the department to purchase 10 KM, 3.5 C x 300 sq. mm. LT, XLPE cable from M/s Havell's' India Ltd. at a total computed cost of Rs.60, 59,120/- and at the terms and conditions of the NIT subject to certification of certain conditions which have since been clarified.

As the validity of the lowest firm was till 17.04.08, approval of Chairperson was also sought to place supply order on M/s Havell's' India Ltd. at their lowest rates of Rs.60,59,120/-. Chairperson accorded approval and advised the department to certify that all CVC guidelines have been adhered to in the agenda. Advice of Chairperson has since been complied with and supply order has been placed on M/s Havell's India Ltd., on 15.04.08.

**5. FINANCIAL IMPLICATIONS:**

Rs.60,59,120/- (Rupees Sixty Lacs Fifty Nine Thousand One Hundred Twenty Only)

**6. IMPLEMENTATION SCHEDULE:**

Two Months, from the date of receipt of order.

**7. COMMENTS OF FINANCE:**

Finance concurred in the proposal for purchase of 10 Km, 3.5 C x 300 sq. mm. cable from the lowest firm M/s Havell's India Ltd. at a total cost of Rs. 60,59,120/- and on the terms and conditions of NIT subject to following conditions:

1. Justification for 10 KM of LT, XLPE, Cable of size 3.5C x 300 sq. mm.
2. Tender scrutiny time allowed at each level be followed by the department.
3. Certification that works for which 10 Km of LT, XLPE, Cable of size 3.5 C x 300 sq. mm. has been proposed to be procured is not included in the list of works to be got done by PGCIL.
4. To certify that the tenderer fulfills the eligibility criteria as per conditions of NIT.
5. Check List / Scrutiny Note be signed by SE (E), CE (E) and officers of Planning Division.
6. Department should watch the interest of the Council and not of the case.
7. Department be advised to place estimate for approval of the Council at the earliest.

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

1. No LT cable of size 300 sq. mm. x 3.5 C is presently available in Stores. Our requirement is much more than 10 Km, but purchase case for 10 Km was processed so that the cable is timely utilized without the unnecessary storage in Store against various works. We feel that the entire 10 Km, of cable shall be utilized maximum within three months of its receipt in Stores.
2. Advice of Finance is well taken and shall be adhered. In view of the steep increase, particularly in prices of aluminium and steel, it is felt that the L-I firm will not extend the validity, once the same expires and the present validity is only upto 17.04.08.
3. No LT works as also aware to Finance have been given to M/s PGCIL



4. Certified that the tenderer fulfills the eligibility criteria as per conditions of the NIT.
5. Checklist/scrutiny note has been signed by the concerned officers.
6. The Executive Engineer (Store-I) has observed only in the interest of NDMC. In case we are not able to place the order before 17.4.08 i.e. within the validity period, in our opinion validity date shall not be extended and so we expect that higher rates shall be received in case fresh tenders are called. So this is purely in interest of Council to place supply order before 17.4.08.
7. Estimates against which the cable shall be utilized are already approved and sanctioned. However approval of other estimates would be sought from the competent authority as and when schemes with similar size of cables are conceived.

**9. LEGAL IMPLICATION:**

Nil

**10. COMMENTS OF LAW DEPARTMENT:**

No legal point is involved. However this agenda item has our concurrence subject to the Correctness of the factual position in agenda.

**11. COMMENTS OF DEPARTMENT ON COMMENTS OF LAW DEPARTMENT:**

It is certified that the facts mentioned in the agenda are correct.

**12. RECOMMENDATIONS:**

Department recommends to regularize the action taken for the purchase of 10 Km, LT, XLPE Cable of size 3.5 C x 300 sq. mm. from M/s Havell's India Ltd., with due approval of Chairperson at, their quoted rates of Rs.5,10,700/- (Ex-works) per KM + ED @ 16.48% + CST @ 1% against Form-C + F & I @ Rs.5100/- per Kilometer at a total computed cost of Rs.60, 59,120/- at the terms and conditions of NIT in anticipation of approval of Council as the validity of the offer of the firm was till 17.4.08 and certifies that all CVC guidelines have been adhered to while processing the case.

The expenditure on this account shall be charged to the budget head E-11, Purchase of Store, wherein a budget provision of Rs. 100 Crore exists during the current financial year 2008-09.

**13. DRAFT COUNCIL RESOLUTION :**

Resolved by the Council that the action taken by the department to place supply order for purchase of 10 Km, LT, XLPE Cable of size 3.5 C x 300 sq. mm. on M/s Havell's India Ltd., with due approval of Chairperson, at their quoted rates of Rs.5, 10,700/- (Ex-works) per KM + ED @ 16.48% + CST @ 1% against Form-C + F & I @ Rs.5100/- per Kilometer and at a total computed cost of Rs.60, 59,120/- at the terms and conditions of NIT, in anticipation of the approval of Council, is regularized as the validity of the firm was till 17.04.08.

**COUNCIL'S DECISION**

Resolved by the Council to accord ex-post facto approval for the action taken by the department to place supply order for purchase of 10 Km, LT, XLPE Cable of size 3.5C X 300 Sq. mm on M/s Havell's India Ltd., at their quoted rates of Rs.5,10,700/- (Ex-works) per Km + ED @ 16.48%+CST @ 1% against Form C+F & I @ Rs.5100/- per Kilometer and at a total computed cost of Rs.60,59,120/- as per the terms and conditions of NIT.

**ITEM NO. 9 (B – 3)**

1. **Subject:** **Purchase of 7 No, 1000KVA, Distribution transformers , dry type of 10.5/0.415 KV rating.**
2. **Name of the Department:** Electricity Department
3. **Brief History of the subject** : There is an urgent requirement of 7 No. distribution transformers, against following sanctioned estimates:-
  - a. Estimate No. E-12/2006/EEP for establishing a switching station, new private wards, AIIMS, New Delhi.
  - b. Estimate No.E-28/2006/EEP for augmentation of transformer capacity at electric substation Singapore High Commission, Chanakyapuri.
  - c. Estimate No. E-47/2006/EEP for establishing an electric substation at plot No.37 & 38 Chanakyapuri, New Delhi.

**4. Detailed proposal of the Subject:** - Sealed tenders in three cover system were invited for the purchase of 7 no. dry type distribution transformers at an estimated cost of Rs.1,02,63,024/- by giving wide publicity through press and NDMC web site and further sending the tender notices to all known manufacturers. Offers from two firms namely; M/s Ames Impex Pvt. Ltd. and M/s Vijay Electricals Ltd were received on due date.

After opening the cover containing techno commercial offers of participating firms and scrutiny, a meeting of Technical Evaluation Committee was held. Both the firms were found eligible by Technical Evaluation Committee so their price bids were opened on 27.07.07 with the prior approval of then Engineer-in-Chief. On comparison of rates quoted by two firms, M/s Ames Impex Pvt. Ltd. was found to be the lowest and after examination from planning division, department recommended to purchase the transformers from the lowest tenderer at their total computed cost of Rs. 1,00,09,835/- (including ED@16.48% + CST @ 3% against from 'C' + Packing and forwarding @ Rs.8000/- + Freight @ Rs. 15,000/- + Insurance @ Rs. 3,270/-) + Rs. 2,03,956/- on account of Impulse Voltage and Heat run tests to be conducted on one transformer bringing the total cost of supply as Rs. 1,02,13,791/-

5. **Financial Implication:** - Rs. 1,02,13,791/- (one crore two lacs thirteen thousand seven hundred ninety one only).

6. **Implementation Schedule:** - The transformers are to be supplied within 04 months from the date of approval of drawings which shall be submitted within 30 days after issue of supply order.

7. **Comments of the Finance Deptt:-**

Finance have concurred in the proposal vide its diary no. 1062/Finance-R-Electric/dt.05-05-2008, to place the Supply Order on "M/s Ames Impex Pvt. Ltd." at their quoted offer of Rs. 1,02,13,791/- (one crore two lacs thirteen thousand seven hundred ninety one only), inclusive of all taxes and duties with certain observations as under:-

- a) Availability of funds
- b) Approval of competent authority
- c) Correctness of information and data submitted by department
- d) Tenders were opened on 6.6.07 but it is surprisingly to note that even after passing of about 11 months; tender case has not culminated to its finality due to one or other reason. This is not only against the guidelines issued by C.V.C. but also tends to reflect on the working of the department. Reasons for delay must be brought on record while seeking approval of the Competent Authority.
- e) Transformers, it appears, are to be installed/commissioned on deposit works, the technical sanctions for which were accorded about 2 to 3 years back. Before placing order on the firm, it must be got confirmed from the user agency/department whether they still need the execution of work. Entire cost along with department charges must be got deposited in advance.
- f) Since tendered rates have been compared with the last accepted rates of transformers ordered vide S.O. dated 20.10.06; it must be ensured and certified that the technical specification of transformers are same and there has been no deviation whatsoever in specification having financial implications.
- g) Department must ensure and certify that all guidelines of CVC have been adhered to.

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

1. The funds are available
2. Approval is being sought
3. The information & data submitted are correct
4. The delay is primarily in seeking clarifications from various sources.
5. The transformers are urgently required to complete the pending works against deposit estimates. Amount already received.
6. The specifications in this case and of S.O. dt. 20.10.06 are same and have no deviation having financial implications.
7. The guidelines of CVC have been followed.

**9. Legal Implication of the Subject:** - No legal implication involved

**10. Details of previous council resolution:**- N/A

**11. Comments of the Law Department:**- At this stage no legal point is involved but this has our concurrence. However, department may ensure that facts & figures mentioned therein are correct and are as per approval of the competent authority.

**12. Comments of the Department on Comments of the Law Department:**- The facts and figures mentioned in the case are correct and as per approval of the competent authority.

**13. Recommendations:**- Department recommends to place the supply order for purchase of 7 Nos. 1000KVA,10.5/0.415KV dry type distribution transformers on "M/s Ames Impex Pvt. Ltd." at their lowest quoted cost of Rs. 1,00,09,835/- (including ED@16.48% + CST @ 3% against from 'C' + Packing and forwarding @ Rs.8000/- + Freight @ Rs. 15,000/- + Insurance @ Rs. 3,270/-) + Rs. 2,03,956/- on account of Impulse Voltage and Heat Run tests to be conducted on one transformer amounting to a total of Rs. 1,02,13,791/- and on the terms and conditions of the NIT.

The expenditure on this account shall be charged to the budget head E.11 'purchase of stores' where a provision of Rs. 10 crores exists during the current financial year 2008-09.

**14. Draft Resolution:**- Resolved by the Council to place supply order for the purchase of 7 nos. distribution transformers on " M/s Ames Impex Pvt. Ltd." at their quoted cost of

Rs.1,02,13,791/- (one crore two lacs thirteen thousand seven hundred ninety one only), inclusive of all taxes and duties and cost of Impulse Voltage and Heat Run tests to be conducted on one transformer, in anticipation to the confirmation of the minutes of the council since the validity of the offer is upto 31-05-2008.

**COUNCIL'S DECISION**

Resolved by the Council to approve placing of supply order for the purchase of 7 Nos. Distribution transformers on "M/s Ames Impex Pvt. Ltd." at their quoted cost of Rs. 1,02,13,791/-, inclusive of all taxes and duties, and cost of Impulse Voltage and Heat Run tests, to be conducted on one transformer. It was further resolved that Department may initiate action in anticipation of confirmation of the minutes of the Council, since the validity of the offer is upto 31.05.2008.

**ITEM No. 10 (O – 2)****1. Name of the subject/project**

**Audit Comments on Monthly Accounts for the months of January-March 2007.**

**2. Name of the Department /Departments concerned**

Office of the Chief Auditor

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

Section 59(1) of the NDMC Act 1994 envisages that the Chief Auditor shall conduct a monthly examination and audit of the accounts of the Council and shall report thereon to the Chairperson, who shall publish monthly an abstract of the receipts and expenditure of the month last preceding signed by him and by the Chief Auditor. As contemplated in above provisions of the Act, Audit comments on Monthly Accounts are prepared along with Monthly Abstracts of Receipts and Expenditure for information of the Council.

**4. Detailed proposal on the subject/project**

Draft Agenda item on Audit Comments on Monthly Accounts for the months of January-March 2007 **(enclosed as a separate booklet)** highlights excess expenditure and receipts over budget provision, non-maintenance of records relating to Suspense Accounts, difference in the books of Compilation and Cash Branch, improper accounting of amount of dishonoured cheques in books of accounts, non-remittance of Cess charges within the prescribed time schedule and non production of Bank Reconciliation Statement.

**5. Financial implications of the proposed project/subject**

Nil

**6. Implementation schedule with timelines for each stage including internal processing**

Not Applicable

**7. Comments of the Finance Department on the subject**

Not Applicable, since Draft Agenda Item incorporates Comments on Monthly Accounts as part of Statutory Audit Function envisaged in NDMC Act, 1994

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

Not Applicable

9. **Legal implication of the subject/project**

Nil

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

Till date eleven Agenda Items have been laid in the Council on the Monthly Accounts.

The details of previous Council Resolutions are as under:-

<b>S. No.</b>	<b>Resolution Number and date</b>	<b>Details of Monthly Accounts</b>
1.	Item No.9(C5) dated 8.02.05	12 Monthly Accounts for the year 2002-03
2.	Item No.10(06) dated 8.02.05	12 Monthly Accounts for the year 2003-04
3.	Item No.8(0-7) dated 3.03.05	03 Monthly Accounts for the period April-2004 to June-2004
4.	Item No.5(0-2) dated 22.07.05	03 Monthly Accounts for the period July-2004 to September 2004
5.	Item No.7(0-3) dated 28.09.05	03 Monthly Accounts for the period October-2004 to December-2004
6.	Item No.7(0-4) dated 23.11.05	03 Monthly Accounts for the period January-2005 to March-2005
7.	Item No.9(0-2) dated 15.12.06	12 Monthly Accounts for the period April 2005 to March 2006
8.	Item No.6(0-1-) dated 20.06.07	Monthly Accounts for the months of April 2006 to June 2006
9	Item No. 18(0-4) dated 17.10.2007	Monthly Accounts for the month of July 2006
10	Item No. 07(0-5) dated 16.01.08	Monthly Accounts for the months of August and September 2006
11	Item No. 08(0-6) dated 13.02.08	Monthly Accounts for the months of October-December 2006

11. **Comments of the Law department on the subject/project**

Not applicable, since Draft Agenda Item incorporates Comments on Monthly Accounts as part of Statutory Audit function envisaged in NDMC Act, 1994

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

Not Applicable

13. **Recommendation**



The Audit Comments on Monthly Accounts for the month of January-March-2007 may be presented to the Council.

14. **Draft Resolution**

Resolved by the Council that information regarding audit comments on Monthly Accounts for the months of January-March 2007 as reported by the Chief Auditor is noted.

**COUNCIL'S DECISION**

Information noted.

It was resolved by the Council that the Finance Department would ensure that the arrears in the monthly accounts is reduced in a time bound manner.

**ITEM NO. 11 (W – 1)****1. Name of the Subject:**

Development of Integrated Multilevel Parking Infrastructure at 3-Sites in NDMC area, ( K.G. MARG, B.K.S. MARG & SAROJINI NAGAR), on PPP Model.

**2. Name of the Department:**

Projects Department.

**3. Brief History of the Subject:**

The Concession Agreements of all the three sites have been signed with the respective successful Bidders/ Concessionaires.

As per the clause 4.1 of the agreement, NDMC has to forward to the concessionaire a list of names of at least Five (5) Independent Engineer / Consultants who have the necessary expertise and are willing to act as Independent Engineer for the Project.

After scrutiny and discussions with the competent authority, the names of 5(Five) firms were sent to the Concessionaire for finalisation of any Three firms, out of which one firm can be engaged as an Independent Engineer based on their quoted rates or otherwise, initially for a period of 36 months:

In response to the same,

(a) M/s DLF Ltd. intimated the names of following Three Firms, in order of its preference:

- 1) Delhi Integrated Multi Modal Transit System ( DIMTS)
- 2) RITES Ltd.
- 3) Engineers India Limited

(b) M/s D S Constns. Ltd. intimated the names of following Three Firms, in order of its preference:

1. Engineers India Limited
2. Meinhardt Singapore Pte Ltd
3. Feedback Ventures Pvt. Ltd

**4. Detailed proposal on the Subject:**

An Evaluation Committee comprising of LA, FA, CA, CE (Civil) & Dir (Proj.), was formed and the Terms of Reference, Scope of work & Men Power utilisation were prepared. After its approval, the same was sent to all the approved bidders for quoting their financial bid, with the last date of submission as 24/04/08.

The sealed financial quotes of Five (5) out of 6(Six) approved firms were received on 24/04/08.

The sealed financial quotes, so received, were opened on 30/04/08 in the chamber of FA in the presence of Evaluation Committee members, Representatives of Bidders & Concessionaire.

The details of Financial Quotes received are as under:

**(I) For BKS Marg & Sarojini Nagar:**

<b>Name of the Bidder</b>	<b>Financial Quote</b>
Engineers India Ltd. (EIL)	Rs. 17,50,000.00 (PM)
Delhi Integrated Multi Modal Transit System Ltd. (DIMTS)	Rs. 4,89,000.00 (PM) (with escalation @10% at the end of every 12 months)

**(II) For K.G.Marg:**

<b>Name of the Bidder</b>	<b>Financial Quote</b>
Engineers India Ltd. (EIL)	Rs.10,50,000.00 (PM)
Meinhardt Singapore Pte Ltd. (India Branch)	Rs. 7,08,943.00 (PM)
Feedback Ventures Pvt. Ltd.	Rs. 11,98,592.00 (PM)

The Evaluation Committee has recommended the selection of lowest bidder i.e., **M/s DIMTS for BKS Marg & Sarojini Nagar and M/s Meinhardt Singapore Pte Ltd. (India Branch) for K.G.Marg** for the award of work at their quoted rates. Chairperson has approved the recommendation.

**5. Financial implications of the proposed subject:**

***(a) DIMTS for BKS Marg & Sarojini Nagar***

**Rs. 4,89,000.00 (Per Month)**

(with escalation @10% at the end of every 12 months)

50% of the same is to be paid by NDMC & rest by the Concessionaire.

***(b) Meinhardt Singapore Pte Ltd. (India Branch) for K.G.Marg***

**Rs. 7,08,943.00 (Per Month)**

50% of the same is to be paid by NDMC & rest by the Concessionaire.

**6. Implementation schedule with timelines for each stage including internal proceeding:**

Initially the bids are called for first THREE (3) years, i.e., for the construction / commissioning period and after that the bids will again be called as the rates during O&M period are expected to be lower.

**7. Comments of the Finance Deptt. on the Subject:**

FA was a member of the Evaluation Committee.

**8. Comments of the Deptt. on Comments of Finance Deptt.:**

N.A.

**9. Legal implications of the Subject:**

LA was a member of the Evaluation Committee.

**10. Detail of previous Council Resolutions**

Resolution Number 24(W-4) Dated 17/05/2006

Table Item Dated 19/09/07

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

**N.A.**

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

**N.A.**

**13. Recommendation**

Submitted for the approval of the Council

**COUNCIL'S DECISION**

Resolved by the Council that the proposal of the department is approved.

**ITEM NO. 12 (E – 2)****1. Name of the Subject / Project.**

Administrative Approval and expenditure sanction of Rs. 225 Lakhs for procurement of Allopathic Medicines for the year 2008 – 09.

**2. Name of the Department/ Departments concerned.**

Health, (Medical Sector)

**3. Brief History of the Subject/ Project.**

NDMC provides medical care including medicines to masses free of cost. A sum of Rs. 225 Lakhs has been allocated under Head of

A/C D .2.2.4 in the budgetary proposal for the year 2008 – 09 for the procurement of Allopathic Medicines. Last year the allocations were Rs.225 Lakhs out of which Rs. 224.45 Lakhs were spent on Medicines Procurement.

The methodology which is being followed for medicines procurement is:

- (i) By quarterly placement of supply orders with the approved firms at the rates approved under the Rate Contract.
- (ii) Local purchase of medicines those are essential but not in stock with central medical stores, from Kendriya Bhandar especially or the benefit for the employees and their dependents.
- (iii) Emergent purchase of vital drugs those are either not available with Registered Firms or are not under rate contract, from open market by calling short terms quotations.

**4. Detailed proposal on the subject/ project.**

The Council vide its resolution No.14 (E-3) dt 17/10/2007 (**Annexure – I**) (**See pages 57-71**) had approved the Rate Contract for the purchase of Allopathic Medicines for a period of one year from the date of execution of agreement. The said Rate Contract is valid till 21.10.2008. Accordingly, the department is likely to place two quarterly supply orders before the expiry of existing Rate Contract. In addition department will have to make local purchase of medicines upto Rs. 2

Lakhs per month to discharge its obligations of medical care towards its employees.

The consumption of various medicines during the year 2007 – 08 along with stock position as on 1.04.2008 has been documented in **(Annexure – II) (See pages 72-84)**.

Vide Council Resolution No. 26 (E – 6) dt 19/12/2007. **(Annexure – III) (See pages 85-86)** Logistic Management is the function assigned to Medical Department. Accordingly, the department has sought administrative approval and expenditure sanction of the budgeted amount i.e Rs.225 Lakhs.

**5. Financial implication of the proposed project/subject**

Rs.225 Lakhs

**6. Implementation schedule with timeless for each stage including internal processing.**

The supply order will be placed every quarteters based on the rate of consumption of various drugs during the proceeding quarter. The usual time period granted for the completion of supply is one month.

**7. Comments of the Finance Department on the subjects.**

In view of the role of Finance Department and Medical Department having been decided by the Council vide its Reso.No 26 (E – 6) dated 19.12.2007 for concurrence of the preliminary estimate for procurement of medical consumables, we have no objection to the proposal for accord of AA & ES for an amount of Rs. 2.25 Crores for purchase of Allopathic Medicines during the year 2008 – 09. The Department, however, needs to ensure that :-

1. Approval of the Council is obtained
2. The data placed on record is correct.
3. A preliminary estimate for the said amount is drawn and placed on record.

4. The role as defined by the Council vide resolution, *ibid*, is strictly adhered to by it.
5. The amount of PE includes the cost of medicines to be procured on emergent basis as also to meet indent requirement of NDMC employees from Kendriya Bhandar or other sources.

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

1. Case is been laid before the Council for approval. Principal approval of competent authority has been obtain
2. The data placed on record is correct.
3. Preliminary estimate amounting to Rs.2.25 Crore is drawn and Annexed as **(Annexure IV) (See page 87)**.
4. The role as defined by the Council vide resolution No.26 ( E -26 ) dt 19/12/2007 is being strictly followed.
5. In the amount of P.E. all the elements as desired by the Finance Department has been taken.

**9. Legal implications of the subject**

Nil

**10. Details of previous Council Resolution, existing law of parliament and Assembly on the subject.**

Nil

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

Nil

**12. Comments of the Department on the comments of the law Department.**

N.A

**13. Recommendations.**

- (a) Administrative approval and expenditure sanction of preliminary estimate of Rs. 225 Lakhs (Rupees Two Hundred Twenty Five Lakhs only) inclusive of taxes for a purchase of Allopathic Medicines during the year 2008 – 09.
- (b) Approval to place supply order s every 4 months based on requirement during the proceeding three months with a provision to place a supplementary order in between if the need so arise against the existing rate contract valid upto 21 Oct 2008.
- (c) Approval to place the supply orders of the first installment in anticipation of the confirmation of the minutes.

**13. Draft Resolution**

Resolved by the Council that administrative approval and expenditure sanction of PE of Rs. 225 Lakhs (Rupees Two Hundred Twenty Five Lakhs only ) inclusive of taxes for the purchase of Allopathic Medicines during the year 2008 -09 from the firms /suppliers approved under the rate contract valid upto 21 Oct 2008 by placing the supply orders every 4 months with a provision of placing a supplementary orders in between if so required, is accorded. The permission to place supply orders of the first installment in anticipation of confirmation of the minutes is also accorded.

**COUNCIL'S DECISION**

Resolved by the Council to accord administrative approval and expenditure sanction of Rs. 225.0 lacs for the procurement of allopathic medicines for the year 2008-09 in the following manner.

- (a) by placement of quarterly supply orders with the firms approved under the rate contract.
- (b) Local purchase of medicines from the Kendriya Bhandar with a monthly ceiling of Rs. 2.0 lacs to meet the medicine requirements of the employees.
- c) Emergent purchase of vital drugs, not available with the registered firms or not available under rate contract, from the open market by calling short term quotations.

The Council also accorded approval to place the "first quarter" supply order in anticipation of the confirmation of the minutes by the Council.

It was also resolved that the department would ensure compliance with the observations made by the Finance Department enumerated in Council's Resolution No.14(E-3) dated 17.10.2007.



**Annexure (Total Page 57-87)**

































































**Annexure**

**End**

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**ITEM NO. 13 (S – 1)**

**Sub: Development of area around State Emporia Building at B.K.S. Marg, New Delhi.**

The Revised Preliminary Estimate for the aforesaid work was placed before the Council during its meeting held on 31.03.2008 and the Council decided as follows:-

“Deferred. It was decided that the Chief Vigilance Officer shall look into the matter to bring on record why the department had come to the Council for Ex-post facto approval after four year of completion of the work. It is also to be seen whether the increase in the project cost is by virtue of increase in scope of work/items or for other reasons and whether the revised cost is more than L-2 or less than L-2”.

Thus the Council has raised three issues in the matter viz-a-viz, **(i) delay in processing the case, (ii) reasons for the excess in cost and (iii) its effect w.r.t. the L-2.** The facts on the three points are as follows:-

**Delay in processing the case**

1. A/A & E/S was accorded by the Council for an amount of Rs.98,11,100/- vide Resolution dated 24.05.02 wherein a Budget Provision of Rs.10,98,464/- was kept for electrical items by Sh.Pradeep Sachdeva, Design Associate.
2. As per note dated 21.05.03, Sh. P.K. Jain, EE (E) Planning 11 KV informed EE (C) RM-I to enhance the Budget provision pertaining to the Electric works to Rs.30 lakhs and also mentioned that C.E. (C), vide note dated 05.05.03 had agreed in principle to enhance the said amount. He, further, informed that estimate amounting to Rs.26,64,870/- would be charged against the said work.
3. The then EE (RM-I) Sh.K.L. Katiyal vide letter dated 30.05.03 intimated Sh. P.K. Jain that the amount of Rs.10.38 lakhs was kept in the estimate submitted by Sh. Pradeep Sachdeva, Design Associate, therefore, Electric Department should have taken additional A/A and E/S from the Council before incurring any expenditure more than the sanctioned amount. Subsequently, EE (E) C-III vide note dated 05.06.07 intimated EE (R-V) that total expenditure amounting to Rs.28,54,864/- has been incurred in the electrical works.

Thus, it is evident that Revised Preliminary Estimate should have been placed before the Council at initial stage when it came to notice that against the Budget Provision of Rs.10.38 lakhs for electric works and the same was required to be revised to 30 lakhs but neither the then EE (Civil) nor EE (E) Planning 11 KV had taken any action for seeking the revised A/A and E/S from the Council for which **S/Sh. C.M. Paruthi the then C.E.(C), K.L. Katiyal, EE (Civil), J.C. Grover, EE (E), B.L. Verma, EE (E) were responsible for not taking timely appropriate action during the execution of the work.** Since all of them have retired from Municipal Service and more than 4 years have passed with respect to the date of action, therefore, no action can be taken against them. However, explanations are being called for from S/Sh. S.S. Dagar, EE (C) R-I, R.K. Jain, EE (E) Planning 11 KV, O.P. Diwani, A.E. Civil (Planning), Jai Bhagwan, Accountant and Rajesh Bansal, Auditor who are primarily responsible for delay in processing the case subsequently.

**Reasons for the excess in cost**

The cost of work has been increased due to the reason that anticipated amount for Electric work was taken 10 lakh against the anticipated amount of Rs.30 lakhs in the initial Preliminary Estimate before execution of the work.

**Effect of increase in cost w.r.t. the L-2**



Since the electrical work and Civil work have been executed separately and there is no increase on the amount with respect to the agreement amount in both the cases, therefore, the aspect whether revised cost is more or less than L-2 is not relevant.

The case is accordingly submitted for placing before the Chairman for information and for approval for circulation to the Members for their perusal.

**COUNCIL'S DECISION**

Information noted.

**ITEM NO. 14 (M – 1)**

- 1. Name of the Subject/Project:** Cash disbursement for two sets of Uniform for Summer and inviting tender for giving two sets stitched uniform for Winter to all the students of classes Nursery to XII of NDMC and NDMC's Aided Schools for the Academic Session 2008-09.
- 2. Name of the Department** Education
- 3. Brief History of the Subject/Project** The Department has made cash payment to all the students for the Academic Year 2007-08 on the basis of the last year re-imburement rate i.e. Rs. 250/-, Rs. 380/-, Rs. 420/- per students of Nursery, Primary and Middle respectively and Rs. 550/- per student of Secondary and Senior Secondary.
- In the Current Year 2008-09 the department proposes to make cash disbursement for two sets of Uniform for Summer and inviting tender for procurement of two sets of stitched uniform for Winter to all the students of classes Nursery to XII of NDMC and NDMC's Aided School.
- 4. Details Proposal on the Subject/Project** The agenda to provide two sets of stitched Uniform for summer and winter to each to student of classes Nursery to XIIth of NDMC and NDMCs Aided Schools in the Academic Session 2007-08 was approved vide item No.15(M-8) dated 24.1.2007. The decisions could not be materialized due to procedural delay in vetting of tender documents and cash disbursement on the basis of last last year re-imburement rate i.e. Rs250/-, Rs.380/-, Rs.420/- per student of Nursery, Primary and Middle respective and Rs.550/- per students of Secondary and Senior Secondary for Academic Year 2007-08.
- To finalize the suitability of both models viz. providing uniform or giving cash, a sub-committee constituted for the purpose, discussed the issue in details taking in account the decision taken vide Resolution No.31(M-4) dated 17.10.2007 i.e. to provide two sets each of stitched uniform for

Summer and Winter. After due deliberation the proposal/recommendation of the sub-committee for making cash disbursement for two sets of uniform for Summer @ Rs.300/-, Rs.450/- & Rs.550/- each to students of classes Nursery , Primary, and Middle respectively and Rs.600/- to each students of Secondary and Sr. Secondary and also inviting tender for procurement of two sets each of uniform for Winter to students of classes Nursery to XII was approved by Chairperson for placing the case before Council after getting the views of FA and LA for the Academic Session 2008-09. The expenditure for providing uniform to student of Primary classes is to be met out of plan fund under the Head of welfare scheme of Govt of NCT of Delhi and expenditure for Nursery, Middle, Secondary & Senior Secondary is to be charged to Non Plan fun

**5. Financial implication of the proposed Project/Subject:**

An estimated expenditure amounting to Rs. 3,10,61,850/- is likely to be incurred as detailed under.

Level	Cash disbursement for two sets of Uniform for Summer	Procurement of two sets of stitched uniform for Winter	Total Amount
Nry.	8,05,500.00	1476750	2282250
Pry.	62.78,400.00	10184690	16463360
Middle	31,97,700.00	4686140	7883840
Sec.	11,51,400.00	1717790	2869190
Sr. Sec	6,46,800.00	916410	1563210
<b>Total</b>			<b>31061850</b>

**6. Implementation Schedule with time limits for each state including internal processing**

Two Month

**7. Comments of Finance departments vide Diary No.1102/Finance/R-Edn dt.8.5.08**

- i) Approval of the Competent Authority.
- ii) Availability of adequate funds under Heads of A/c D.1.5.4.(I) (NP), D.1.4.5(II) (Plan and Non Plan, D.1.3.5. (V) (NP), D.1.2A.8 (NP) and D.1.2.8 (IV) (NP).
- iii) The funds distributed are invariably utilized for procurement of prescribed uniform.
- iv) The uniforms are uniform in colour, design and fabric.
- v) The Draft Agendum to be laid before the Council incorporates in it the modalities/codal formalities for payment of cash in lieu of stitched summer uniform and reasons for not taking timely action in the month of December, 2007 despite the NIT was vetted by Finance as well as Law Department in the months of May, 2007 and July, 2007 respectively.
- vi) Correctness of data, information and computations.
- vii) Cash disbursement be made as per enrolment on 31.7.2008.
- viii) Address of Delhi Govt. website portals be inserted in the NIT.

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

- i) The case has been shown to Chairman, NDMC and Chairman, NDMC has kindly approved for placing before Council after getting the views of FA and LA.
- ii) The department shall ask for allocation of sufficient fund in RE-2007-08.
- iii & iv) With regard to ensuring utilization of cash payment for procurement of uniform by students in colour, design etc., Heads of schools shall ensure that all the students wear proper uniform. Also the cash payment shall be released to the parents only after the production of cash memo and and uniform.
- v) The Education Department initiated the case for providing two sets of stitched uniform for summer and winter to all the students of classes Nursery to XII for the Academic Session 2007-08 well in time i.e in the month of December, 2006. The case was submitted to Finance Department for vetting the Tender Document in the month of December, 2006 itself. The file had been in and out between Finance and Education raising observation one after other by the Finance and clarification by the Education Department. The Tender Documents were vetted by Finance Department in the month of May, 2007 and by Law Department in the month of July, 2007, thus schedule fixed for Summer Uniform was

already passed and leaving no scope to provide the stitched uniform to all the students for Summer and Winter before the end of the Academic Session as considerable time was required to invite and finalize the tender at that stage. Realizing the fact that the stitched uniform cannot be provided, the department disbursed cash payment to each school student for Summer and Winter at the rate of Rs.250/-, Rs.380/- and Rs.420/- to each student of classes Nursery, Primary and Middle respectively and Rs.550/- for Secondary and Sr. Secondary (Finance calculated last year single uniform rate).

The modalities of distribution of cash in lieu of stitched uniform shall be followed as under.

- a) Advance in the name of Head of schools will be drawn, who will deposit the same into their own school bank accounts. In the cases of small schools housed in same building as big schools and having no bank account, the uniform advance will be drawn in the name of the Head of School of the senior school.
  - b) Class teachers shall make cash Payment to parents of each student after they produce the cash memo and uniforms. To ensure an early payment to students, the Nodal officers shall coordinate in all the school under their zones.
- vi) Data, information and computations are correct.
  - vii) Cash disbursement shall be made as per enrolment as on 31.7.2008.
  - viii) Address of Delhi Govt. website portals shall be inserted in the NIT after accord of approval by Council.

**10. Legal implication of the Subject/Project**

**11. Details of previous council resolutions, existing**

**law of parliament & assembly on the subject**

**Nil**

**12. Comments of Law department on the**

**Subject/Project**

**Nil**

**13. Comments of the department on the comments  
of the Law department**

**Nil**

**14. Recommendation:**

**The matter is placed before the council for kind consideration and decision on the following:**

1. Administrative approval & expenditure sanctioned amounting to Rs. 3,10,61,850/-(Rs. Three crore ten lacs sixty one thousand eight hundred fifty only) for cash disbursement for two sets of uniform for Summer and procurement of two sets of stitched uniform for Winter in the Academic Session 2008-09 to all the students of classes Nursery to XII of NDMC and NDMC's Aided School.
2. To adopt policy for giving cash payment to all the students of classes Nry to XII of NDMC schools and NDMC,Aided schools @ Rs.300/-, Rs.450/- &,Rs.550/- for Nursery, Primary, Middle, respectively andRs. 600/- for Sec and Sr. Sec. students respectively in the current academic year 2008-2009;
3. Invitation of tender for procurement of two sets of stitched uniform for Winter to all the students of classes Nry to XII of NDMC schools and NDMC,Aided schools.
4. It is certified by the department that all CVC guidelines on the subject have been followed while processing the case.

**Resolution:**

1. Resolved by the Council that Administrative approval & expenditure sanctioned amounting to Rs. 3,10.61,850/--(Rs. Three Crore ten Lacs sixty one thousand eight hundred fifty only) is accorded for cash disbursement for two sets of uniform for Summer and procurement of two sets of stitched uniform for Winter in the Academic Session 2008-09 to all the students of classes Nursery to XII of NDMC and NDMC's Aided School.
2. Further resolved by the Council to adopt policy for giving cash payment to all the students of classes Nry to XII of NDMC schools and NDMC, Aided schools @ Rs.300/-, Rs.450/-&,Rs.550/- for Nursery, Primary, Middle, respectively andRs. 600/- for Sec and Sr. Sec. students respectively in the current academic year 2008-2009;

3. Further resolved by the Council that two sets of stitched uniform for winter to all students of classes Nursery to XII of NDMC schools and NDMC's Aided schools for the Academic Session 2008-09 are to be provided and tender thereof be invited.

### **COUNCIL'S DECISION**

Resolved by the Council that administrative approval & expenditure sanction amounting to Rs.3,10,61,850/- is accorded for cash disbursement, for two sets of uniform for Summer and procurement of two sets of stitched uniform for Winter, in the Academic Session 2008-09, to all the students from classes Nursery to XII of NDMC and NDMC's Aided Schools.

It was further resolved by the Council to adopt policy for giving cash payment to all the students from classes Nursery to XII of NDMC schools and NDMC, Aided schools, @ Rs.300/-, Rs.450/- & Rs.550/- for Nursery, Primary, Middle students respectively and Rs.600/- for Secondary and Sr. Sec. students, in the current academic year 2008-2009;

Further, it was resolved by the Council that two sets of stitched uniform for winter to all students, from classes Nursery to XII of NDMC schools and NDMC's Aided schools, are to be provided for the Academic Session 2008-09 and tender thereof be invited.

It was also decided that the Department should conduct an impact study with a view to find out whether the system of cash disbursement was working well to the satisfaction of end users and to ensure that cash disbursement was properly monitored as well as accounted for. The Department shall apprise the Council of such an impact study at the earliest possible.

**ITEM NO. 15 (H – 2)****1. Name of the subject:**

Revision of Recruitment Rules of the post of Technical Asstt.(PR) and re-designation of the same as Public Relation Assistant.

**2. Name of the department/departments concerned:**

Personnel Department

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

There are two posts of Technical Asstt.(PR) in the Public Relation Deptt. The RRs for the post were approved by the Committee vide Reso. No. 24 dated 22.9.72 and subsequently modified by the Committee vide Reso. No.19 dated 09.3.1976. In order to make the RRs relevant to present requirements, revision is needed.

**4. Detailed proposal on the subject:**

The posts of Technical Assistants in Public Relation Department are Group 'C' posts in the pay scale of Rs.4500-7000/-(Vth CPC) to be filled on direct recruitment basis. The earlier RRs prescribed essential qualification as MA in Hindi with diploma in Journalism and doctorate in the subject as desirable qualification. It is proposed to revise the essential qualification as Graduation in Journalism with knowledge of basic of computers. The practical experience is also proposed to be reduced from 3 years to 2 years and re-designate the post as Public Relation Assistant.

**5. Financial Implications of the Proposed Subject:**

There are no financial implications of the proposal.

**6. Implementation Schedule with Timeliness for each stage including Internal Processing**

After approval of the Council, action would be taken for filling up the post as per procedure.

**7. Comments of the Finance Department on the Subject:**

The Finance Deptt has no objection to the proposed revision in the RRs.

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

Nil



9. **Legal implication of the subject:**  
There are no legal implications of the proposal.
10. **Details of previous Council Resolutions, existing Law of Parliament and Assembly on the Subject:**  
(i) Resolution No. 24 dated 22.9.72  
(ii) Resolution No.19 dated 9.3.76
11. **Comments of the Law Department on the Subject:**  
Law Deptt. has suggested that the RRs of C&D Employees be approved by the Central Govt. and notified in the official gazette.
12. **Comments of the Department on the comments of the Law Department**  
Till the regulations as prescribed in Section 43 of the NDMC Act, 1994 are made, the existing practice of notification of RRs in respect of Group 'A' & 'B' posts only may continue.
13. **Recommendation:**  
The nomenclature of the post of Technical Asstt.(PR) may be changed as Public Relation Assistant and RRs for the post may be amended as per details at **Annexure -1 (See page 98)**.
14. **Draft Resolution:**  
Resolved by the Council that the proposal of the department for revision in the RRs for the post of Technical Asstt.(PR) and re-designation of the post as Public Relation Assistant is approved.

### **COUNCIL'S DECISION**

Resolved by the Council to approve the proposal of the Department for revision in RRs for the post of Technical Asstt. (PR) and to redesignate the Post as "Public Relation Assistant".

**Annexure one page**

**ITEM NO. 16 (H – 3)**1. **Name of the subject:**

Creating promotional avenues for Court Clerks (Rs.3050-4590/-) in Law Deptt. by way of up-grading six posts to Sr. Court Clerk Grade II in the pay scale of Rs.4000-6000/- and three posts to Sr. Court Clerk Grade-I in the pay scale of Rs.5000-8000/-.

2. **Name of the department/departments concerned:**

Personnel Department

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

Vide Resolution No. 30 dated 5.8.1991, 11 posts of Attorney were created in the Law Department in the pay scale of Rs. 950-1500/- (IV CPC). Thereafter, some more posts were created from time to time. As per Office Order No. SO(E)/1141/SA-III dated 27.2.2000, the post of Attorney was re-designated as Court Clerk and the pay scale revised to Rs. 3050-75-3950-80-4590/- (V CPC) with effect from 1.1.1996. As on date 27 posts of Court Clerks exist in the Council.

As per provisions in the RRs, the post of Court Clerk is an ex cadre post having no promotional avenue. The incumbents are, however, entitled for benefit under the ACP scheme. The Court Clerks have been representing time and again about non existence of any promotional avenues for them. The matter was taken up with Government of NCT of Delhi and Municipal Corporation of Delhi, but they have informed that no posts of Court Clerk/ Attorney exist with them. However, Ministry of Law & Justice, Government of India have a cadre of Court Clerks having promotional avenues as under:

<b>Name of Post</b>	<b>Pay scale</b>	<b>Mode of recruitment</b>	<b>Grade from which promotion is to be made</b>
Court Clerk	Rs.3050-4590/-	Direct	-
Sr. Court Clerk Grade –II	Rs. 4000-6000/-	Promotion	Court Clerks having 8 years qualifying service
Sr. Court Clerk Grade-I	Rs 5000-8000/-	Promotion	Sr Court Clerks Grade II with 5 years service failing which 13 years combined service in the Grade of Sr. Court Clerk Grade – II and Court Clerk

The Court Clerks had filed a Court case at CGIT for grant of SS scale of Rs. 4000-7100/-. The award passed in their favour has been challenged by way of filing Writ petition No. 3765/01 at High Court of Delhi, which is still pending in the Court.

**15. Detailed proposal on the subject:**

It is proposed that nomenclature, pay scale and recruitment rules as prevalent in Ministry of Law & Justice, Government of India be adopted in Council and out of existing 27 posts of Court Clerks in the pay scale of Rs. 3050-4590/-, 6 posts be up-graded as Sr. Court Clerk Grade II in the pay scale of Rs. 4000-6000/- and 3 posts be up-graded as Sr. Court Clerk Grade I in the pay scale of Rs. 5000-8000/-

**Thus, structure of the cadre will be as under:-**

- i) 3 posts of Sr. Court Clerk Grade I in the pay scale of Rs.5000-8000/-
- ii) 6 posts of Sr. Court Clerk Grade II in the pay scale of Rs.4000-6000/.
- iii) 18 posts of Court Clerk in the pay scale of Rs.3050-4590/-

**16. Financial Implications of the Proposed Subject:**

The total financial implications will be to the tune of about Rs.50,000/- per annum.

**17. Implementation Schedule with Timeliness for each stage including Internal Processing**

After approval of the Council, meeting of DPC would be convened to fill up the newly created posts of Sr. Court Clerks Grade II and Sr. Court Clerk Grade I.

**18. Comments of the Finance Department on the Subject:**

Finance Deptt has no objection to the proposal subject to the condition that:

- (i) The up-gradation of the posts is on functional ground.
- (ii) RRs for the upgraded post framed and got approved from the Competent Authority.
- (iii) The responsibilities and duties of the Sr. Court Clerk Grade I and Grade II indicated.
- (iv) Law Deptt certifies that the work of various courts would not suffer due to this reduction and up gradation of posts and no creation of new posts of Court Clerk would be demanded in future on this ground.

**19. Comments of the Department on Comments of Finance Department:**

**The Law Deptt. has clarified that:-**

- (i) Service of the Court Clerk Grade I and II shall be utilised for cases in High Court and Supreme Court or for presenting cases before Municipal Magistrate.
- (ii) The services of the Court Clerks, as far as possible, will be assigned to cases in court other than High Court and Supreme Court.

20. **Legal implication of the subject:**

There is an award for grant of S. S. Scale passed on 22/01/2001 by the CGIT in a case filed by Court Clerks. The said award has been challenged by way of filing writ petition in High Court of Delhi. The award passed by CGIT has been stayed by the High Court and the case is still pending.

21. **Details of previous Council Resolutions, Existing Law of Parliament and Assembly on the Subject:**

Council Resolution No. 30 dated 05.08.1991.

22. **Comments of the Law Department on the Subject:**

Law Deptt. has recommended creation of posts of Sr. Court Clerk Grade II and Sr. Court Clerk Grade I on the pattern of Ministry of Law & Justice. The Deptt. has noted that :-

- i) The S. S. Scale cases are pending in High Court and Supreme Court.
- ii) When the up-gradation is on the basis of Vth Pay Commission recommendations in the Ministry of Law, the concept of S. S. Scale may not arise, as Ministry of Law scales and posts are in V pay commission.
- iii) The matter may be placed before the Council for decision.

23. **Comments of the Department on the comments of the Law Department**

If the cases pending in High Court/Supreme Court are decided in the favour of Court Clerks they will be eligible for S. S. Scale as per decision of CGIT dated 22.01.2001. They would also become eligible for Ist and IInd time bound promotional scale after completion of 10 years and 18 years of service respectively. They may also seek conversion of these newly created posts from CPC Scales to Shiv Shankaran Scales.

24. **Recommendation:**

The matter is placed before the Council for decision on the following points:-

- (i) Out of sanctioned strength of 27 posts of Court Clerks, six posts be up-graded as Sr. Court Clerk Grade II in the pay scale of Rs.4000-6000/- and 3 posts as Sr. Court Clerk Grade I in the pay scale of Rs.5000-8000/- .
  
- (ii) The Recruitment Rules for the post of Sr. Court Clerk Grade II and Sr. Court Clerk Grade I, prepared on the lines of RRs framed by Ministry of Law & Justice, as enclosed as **Annexure I & II (See pages 103-104)** be approved.

**COUNCIL'S DECISION**

Deferred.

**RECRUITMENT RULES FOR THE POST OF SR. COURT CLERK GRADE II**

01.	Name of Post	Sr. Court Clerk Grade II
02.	Number of Post	06
03.	Classification	General Central Service Group 'C' Non-Gazetted, Ministerial
04.	Scale of Pay	Rs. 4000-100-6000
05.	Whether selection-cum-seniority or selection by merit	Non-Selection
06.	Age limit for direct recruits	Not Applicable
07.	Whether benefit of added years of service admissible under rule 30 of the Central Civil Services (Pension) Rules, 1972	Not applicable
08.	Educational and other qualifications required for direct recruits	Not Applicable
09.	Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees	Not Applicable
10.	Period of probation, if any	Not Applicable
11.	Method of recruitment whether by direct recruitment or by promotion or by deputation or by absorption and percentage of the posts to be filled by various methods	100% by promotion
12.	In case of recruitment by promotion/deputation/absorption grades from which promotion/deputation/absorption to be made	By promotion of Court Clerks having rendered at least eight years' qualifying service in that grade
13.	If a Departmental Promotion Committee exists, what is its composition	Group 'C' Departmental Promotion Committee consisting of :- 1. Secretary, NDMC ---- Chairman 2. Law Officer --- Member 3. Director (Personnel) --- Member 4. Director (Vigilance) --- Member 5. Group 'A' Officer belonging to the Scheduled Casts/Scheduled Tribes Community—Co-opted --- Member
14.	Circumstances in which Union Public Service Commission is to be consulted in making recruitment	Not applicable

**Annexure 'II'****RECRUITMENT RULES FOR THE POST OF SR. COURT CLERK GRADE I**

01.	Name of Post	Sr. Court Clerk Grade I
02.	Number of Post	03
03.	Classification	General Central Service Group 'C' Non-Gazetted, Ministerial
04.	Scale of Pay	Rs. 5000-150-8000
05.	Whether selection-cum-seniority or selection by merit	Non-Selection
06.	Age limit for direct recruits	Not Applicable
07.	Whether benefit of added years of service admissible under Rule-30 of the Central Civil Services (Pension) Rules, 1972	Not applicable
08.	Educational and other qualifications required for direct recruits	Not Applicable
09.	Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees	Not Applicable
10.	Period of probation, if any	Not Applicable
11.	Method of recruitment whether by direct recruitment or by promotion or by deputation or by absorption and percentage of the posts to be filled by various methods	100% by promotion
12.	In case of recruitment by promotion/deputation/absorption grades from which promotion/deputation/absorption to be made	By promotion of Sr. Court Clerks Grade II having rendered at least five years' qualifying service in that grade, failing which Sr. Court Clerks Grade II with thirteen years' combined service in the grades of Sr. Court Clerk Grade II and Court Clerk.
13.	If a Departmental Promotion Committee exists, what is its composition	Group 'C' Departmental Promotion Committee consisting of :- 1. Secretary, NDMC ---- Chairman 2. Law Officer --- Member 3. Director (Personnel) --- Member 4. Director (Vigilance) --- Member 5. Group 'A' Officer belonging to the Scheduled Casts/Scheduled Tribes Community—Co-opted --- Member
14.	Circumstances in which Union Public Service Commission is to be consulted in making recruitment	Not applicable



**ITEM NO. 17 (A – 25)****1. Name of the subject / project:****Sub: Improvement / Up gradation of Talkatora Indoor Stadium.****Sub Head: Installation of Lifts at Talkatora Indoor Stadium.****2. Name of the Deptt. / Deptt. Concerned:**

Civil Engineering Department, NDMC (Project Stadia)

**3. Brief History:**

For implementation of the Common Wealth Games scheduled to be held in Delhi in 2010 and accordingly 1<sup>st</sup> meeting of core group of officers was held on 20.10.04 in the conference Room of Chief Secretary, Delhi, to select various competition & training venues. Accordingly, Talkatora Indoor Stadium & Shivaji Stadium was selected to host events during the Common Wealth Games -2010. For proper renovation of the stadias, a rough cost estimate was prepared and the case was placed before the Council to accord approval to the proposal. Council vide its Reso No. 10 (A-9) dated. 22.07.05. approved the proposal for up-gradation of NDMC stadias as under:

"Council resolved and approved the up-gradation of two NDMC Stadias to the international level even if these are not used during Common Wealth Games from its own funds at a rough cost of Rs. 30.45 crores. In case, it is decided to use the stadiums for CWG the requisite funds would come from Delhi Govt."

The decision of the council was accordingly intimated to Jt. Director (UD), Officer-in-Charge, Co-ordination Cell, Govt. of NCT of Delhi, Department of Urban Development for arrangement of requisite funds.

Considering the above & after having detailed discussions and deliberations held with Mr. Prasad, ADG (Tech) SAI and with M/s EKS, an international consultant appointed by SAI for selection, submission of venue brief, technical parameters, examining the drawings as per requirement and make recommendations to Organising Committee, CWG on the games, selected to host Boxing a competition venue at Talkatora Indoor Stadium and a training venue Hockey Event at Shivaji Stadium. For this purpose, a need was felt for Improvement / Up gradation of Talkatora Indoor Stadium in order to meet the requirement of CWG Federation and as per the venue brief submitted by the International Consultant, M/s EKS, a

new multi storey block with the two basement for parking just adjacent to the existing Talkatora Indoor Stadium is to be constructed. Addition / Alteration to existing stadium and Up-gradation of all services to be carried out as per concept plan.

Installation of Lifts in the proposed new Sports Facility Block for service and passenger lifts. The Lifts was required because of its height as per international norms for services, accordingly an estimate was submitted by the architect consultant M/s Raja Aederi (P) Ltd.

#### **4. Detailed proposal on the subject/ project:**

M/s Raja Aederi consultant Pvt. Ltd. has been appointed as an Architect Consultant for the project of Talkatora Indoor Stadium and Shivaji Stadium.

The Architect Consultant submitted the detailed estimate alongwith the drawings as per the venue brief, presentation made before the Organising committee and discussions held on the subject with the Traffic/ Security/ Delhi Fire Services. The concept / detailed proposal was subsequently approved by O.C. C.A NDMC, DUAC and Delhi Fire Services and accordingly, the detailed estimate amounting to Rs. 60,91,838/- was technically sanctioned and the NIT amounting to Rs.58,02,000/- was approved by the competent authority for Installation of Lifts at Talkatora Indoor Stadium.

The tenders were invited with the last date of application, sale & receipt as 30-01-08, 01-02-08 & 05-02-08 respectively. Wide publicity was made by publishing in the leading daily newspapers in Delhi and edition outside Delhi and as well as on NDMC & Delhi Govt website. In response to the publicity, the following two tenders were received on date of opening i.e.18/2/08.

1. M/s Omega Elevators.
2. M/s Thyssenkrupp Elevators (I) Pvt. Ltd.

On examining the eligibility criteria of the received tender document, it was found that M/s Thyssenkrupp Elevators does not fulfil NIT condition hence the technical and financial bid was not opened.

Estimated cost put to Tender; Rs. 58, 02,000/-

<b>S. No.</b>	<b>Agency</b>	<b>% age quoted</b>	<b>Amount</b>
1.	M/s Omega Elevators	12.44, below	Rs. 50, 80, 000/-

As per CPWD works manual 2007 section 19.4.3.1, if the lowest tender is less than the estimated cost put to tender +10 %, there is no need of preparing justification. The

overall tender amount works out to Rs. 50, 80, 000/- which is 12.44 % below the estimated cost put to tender.

The case was sent to Finance for their concurrence in the proposal.

### **5. Financial implications of the proposed project/ subject:**

The detail of financial status of project and tender already awarded is appended below:-

1. A/A & E/S for whole project = 104.01crores  
(Vide reso No. D-1 (A-47) dt 5/11/07.)

2. Years wise flow of funds demanded from Govt of Delhi

2007-08	=	10 crores
2008-09	=	70 crores
2009-10	=	24.01 crores

3. Detail of tenders already awarded:-

- a) Construction of new sports facilities block = 52.98 crores  
(Approved vide reso. No. D-1(A-47) dt. 5/11/07.)
- b) Addition/ Alteration of existing Stadium. = 19.19 crores  
(Approved vide item No. 15 (A-86) dt. 31/3/08.)
- c) Fire fighting work of new and existing Stadium. = 3.23 crores  
(Approved vide item No. 03 (A-80) dt. 31/3/08.)
- d) Establishing of ESS at upper basement of new block = 1.87 crores  
(Approved vide item No. 04 (A-81) dt. 31/3/08.).
- e) Supply, Installation, Testing & Commissioning of = 2.06 crores  
1000 KVA D. G Sets at Talkatora Indoor Stadium

4. The financial implication of this tender is Rs. 50,80,000/-, which now processed for approval of council.

### **6. Implementation schedule:**

Time of completion of work: **9 months**

**7. Comments of the Finance Department on the subject:**

Finance Department comments are as under:

The observation of Finance Deptt. was discussed in the meeting of empowered committee which has cleared it. Therefore we have no comments to offer.

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

No comments. How ever it is added that all codal proceed and CVC guidelines are adhered in the case.

**9. Legal Implication of the project:**

NIL

**10. Details of previous council Resolutions, existing law of Parliament and Assembly on the subject:**

1. Reso. No. 10 (A-9) dated. 22.07-05 approved the proposal for up-gradation of NDMC stadias as under:

"Council resolved and approved the up-gradation of two NDMC stadiums to the international level even if these are not used during Common Wealth Games from its own funds at a rough cost of Rs. 30.45 crores. In case, it is decided to use the stadiums for Commonwealth Games the requisite funds would come from Delhi Govt."

2. Reso No. 01 ( A-47 ) dated 05-11-07 approved the proposal for award of work to M/s Simplex Projects Ltd., A/A & E/S amounting to Rs. 204 crores to the whole project of stadias and consultancy fee of the Architect Consultant as under:

" Resolved by the Council that approval is accorded to the recommendation of the department, as mentioned in serial no. 1 to 3 of para 16 of the preamble on the confirmation by the department that all CVC guidelines have been adhered to in this case."

Department may initiate action in anticipation of confirmation of minutes.

### **11. Recommendation of Department**

The case may be placed before the Council for award to the above work to M/s Omega Elevators at their total tendered amount of Rs 50,80,000/-which is 12.44% below the estimated cost put to tender of Rs. 58,02,000/- The department may initiate action in anticipation of confirmation of minutes.

### **COUNCIL'S DECISION**

(i) Resolved by Council to award the work, of installation of lifts at Talkatora Indoor Stadium, a competition venue for Boxing event during Commonwealth Games, 2010, to M/S Omega Elevators at their tendered amount of Rs. 50,80,000/-, which is 12.44% below the estimated cost of Rs. 58,02,000/-.

(ii) It was also resolved that further necessary action may be taken by the Department in anticipation of approval of the minutes by the Council.

**ITEM NO. 18 (A-26)**

**1. Name of subject/project: - Construction of Security wall in back lanes of CPWD quarters E-Block, Netaji Nagar.**

**2. Name of Department:**

Civil Engineering Department, Road-III Division.

**3. Brief History the Subject/Project:**

Netaji Nagar area of Sarojini Nagar constituency was inspected by Hon'ble area MLA Sh. Ashok Ahuja alongwith representatives of RWA's of E-Block CPWD Quarters and NDMC officers. During inspection RWA's members were requesting for construction of security wall in the back side of CPWD quarters for safety as well as security purpose and avoid theft cases in their quarters.

During inspection area MLA has desired for construct the security wall in back side of CPWD quarters of E-block, Netaji Nagar under MLA Fund of Sarojini Nagar constituency for given batter relief to residents for safety as well as security purpose and avoid to theft cases in colony.

The Government of Delhi had issued guide line along the pattern of the MP's local area development scheme for MLA's to carrying out works of capital nature of public interest in their constituencies.

Delhi Government has decide 2.00 crore fund per MLA per year for strengthening and augmentation of infrastructure facilities in each assembly constituency.

**4. Detailed proposals of Case:**

The brief details of scheme are as follows:-

- (i) Earth work in excavation.
- (ii) Providing and laying CC 1:5:10.
- (iii) Providing brick work by Fly ash and FPS bricks.
- (iv) Providing stone grit wash plaster.
- (v) Providing MS railing and gates.

**5. Financial Implications of the proposed/subject:**

Estimated cost for construction of security wall in back lanes of CPWD quarters in E-Block Netaji Nagar is Rs. 68,03,200/-.

**6. Implementation schedule with time lines for such stage including internal proceedings:**

Accord of A/A & E/S	May-2008
Preparation of detail estimate/NIT	June-2008
Call of Tenders	July-2008
Award of work	August 2008
Execution of work	September-2008 to January-2008

**7. Comments of the Finance Department on the subject:**

The Finance Department has concurred the Preliminary Estimate amounting to Rs. 68,03,200/- for construction of security wall in back lanes of CPWD quarters in E-Block Netaji Nagar subject to (i) availability of funds. The concerned MLA has sanctioned only Rs. 50.00 lacs for the instant work vide consent letter dated 08.08.07, the balance amount may also be got sanctioned before processing the case further and (ii) specific certificate to the effect that the scheme in question does not come in the category of prohibited works as defined/listed in Para 2.5 of the guidelines issued by Govt. of NCT.

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

- (i) Sufficient MLA Fund is available for execute the above said scheme. Revised consent letter has been got of Rs. 69.00 lacs from MLA for above said work.
- (ii) It is certified that the scheme in question does not come in the category of prohibited works as defined/listed in para 2.5 of the guide lines issued by Government of NCT.

**9. Details of previous council reso, existing law of Parliament and Assembly on the subject:**

NIL.

**10. Comments of the law department on the subject:**

No comments

**11. Comments of the department on the comments of the law department:**

No comments.

**12. Recommendations:**

The case is laid before the council for consideration and accord Administrative Approval and Expenditure Sanction of Rs.68,03,200/- for work of construction of security wall in back lanes of CPWD quarters in E-Block, Netaji Nagar under MLA Fund of Sarojini Nagar constituency.

**COUNCIL'S DECISION**

Resolved by the Council to accord administrative approval & expenditure sanction to the preliminary estimate amounting to Rs. 68,03,200/- for the work of "Construction of Security wall in back lanes of CPWD quarters E-Block, Netaji Nagar" under MLA LAD Fund of Sarojini Nagar Constituency.

**ITEM NO. 19(U-1)****1. Name of the Project:**

**Fire Maintenance Services in NDMC Buildings During 2006-2007,  
SH: Fabrication of Disaster Management & Emergency Rescue Tender  
alongwith equipments AND AMC**

**2. Name of the Department**

Fire Department

**3. Brief History of the Project:**

The Government of India is giving its utmost attention towards disaster management. A number of meetings have been held in this regard with the office of Divisional Commissioner, Disaster Management Cell of the Govt. of NCT of Delhi and the Chairperson, N.D.M.C. National Disaster Management Division, Ministry of Home Affairs, Govt. of India has also advised all the U.Ts and States to procure essential search and rescue equipments to be used in case of such calamities. In order to have effective control over the issue it is very important and necessary that the EMERGENCY RESCUE TENDER be procured on the basis of latest technology.

In view of above it is submitted that NDMC has still to procure the above rescue tender and in one of the meetings of the Zonal Officers held on 5.7.06 under the Chairmanship of Chairperson and meeting of the HODs taken by the Chairperson on 25.7.06 in the Council Room (both copies of the minutes placed in the file), it has been desired that the above mentioned rescue tender be procured on the lines of Delhi Fire Service/Delhi traffic Police as the same is already in use in their departments and working effectively. The operations of these equipments have been found effective during the recent storms. The Rescue Tender was mainly used for removing heavy debris, fallen tree trunks, removing of unauthorized constructions etc. by the Delhi Traffic Police/Delhi Fire Services.

Accordingly the above agencies i.e. Delhi Traffic Police and Delhi Fire Services were contacted and discussions were held with their officers in respect of the above rescue tenders. Also the officers of the NDMC have seen the demonstrations of these vehicles. Impressed with the demonstration, C.V.O. along with the Fire Officer cum NA inspected the Disaster Management Centre (DFS) to randomly assess the Emergency Rescue Tender at Laxmi Nagar Distt. Centre, Delhi and after detailed discussions with Dy. C.F.O. at site it was agreed to fabricate two Rescue Tenders i.e one for heavy duty operations and one for light duty operations as per details given below:-

- 1) Rescue Tender on Tata LPT 1615/52 cab BS 111 for heavy duty operations: Cost Rs. 9,97,759/- as per quotation placed in the file collected from TATA for heavy duty operations.
- 2) Rescue Tender on Medium duty vehicle on Tata LPT 712 EX Cost of chasis Rs.6,16,805/- to be fitted with crane, DG set (5 KVA), hydraulic tools and cutters for light duty operations as per the pattern of Delhi Police in consultation with D.C.P (Traffic)



In view of position stated above, the case for Rescue Tender mentioned at Sl. No. 1 above was referred to Chairperson through Secretary, NDMC for according Administrative approval and Expenditure sanction amounting to Rs.80,71,000/- for procurement of one emergency rescue tender for the Disaster Management Control Room of NDMC and principal approval was accorded by the Chairperson on dated 14.8.2006.

In view of above A/A & E/S of Rs.80,71,000/- was accorded by the council vide Reso. No. 03 (U-3) dated 20.12.2006.

A Sub Committee was formed with the approval of the then Chairperson for procurement of the Rescue Tender and following are the members of the Sub Committee:

1. **Sh. R.S. Thakur, S.E(P), Chairman, Sub Committee.**
2. **Sh. K.K. Tyagi, E.E. (BM-III) - Member**
3. **Mrs. Veena Narang, A.A.O (W-I), Member**
4. **Sh. Santokh Singh, Dy. C.F.O, D.F.S. Member**
5. **Sh. Sikandar Lal, J.S.O(CD), Delhi Civil Defence, Member**

Item Rate Tenders were invited after completing all the codal formalities by following two bid system i.e. Technical bid and financial bid and in response, two tenders were received from the following firms:-

1. **M/s Brijbasi Hi Tech Udyog**
2. **M/s Wadia Body Builders**

After checking the eligibility criteria of both the firms, which was found to be in order, the technical bids were opened in the first instance on 4.12. 2007. Technical bids of both the firms were scrutinized and also live demonstration of most of the important equipments which are to be provided in the Rescue Tender were got arranged from both the firms as decided by the Sub Committee at Palika Kendra. After extensive scrutiny and assessing the live demonstration of most of the important equipments, Sub Committee recommended as under:

"that Financial bid in respect of M/s Brijbasi Hi Tech Udyog be opened and Technical bid of M/s Wadia Body Builders may not considered as the same does not meet with requirement of N.I.T. as per approval of the Sub Committee placed in the file at flag 'E'. Accordingly, date for opening of financial bid i.e. 2.4.2008 at 4.30PM was informed accordingly to M/s Brijbasi Hi Tech Udyog(F/F)".

Accordingly, Financial bid of M/s Brij Basi Hi Tech Udyog was opened on 2.4.2008 and details are as under:-

S.No.	Description	Estimated cost	Tendered amount	%age above/below	Remarks
1.	Equipments & fabrication + AMC	Rs.79,53,364/-	Rs. 77,20,569/-	2.927% below	Being Item Rate Tender Details placed at <b>Annexure 'A'</b> (See pages 117 - 121)

M/s Brij Basi Hi-Tech Udyog have quoted the amount of Rs.77,20,569/-which is 2.927% below the estimated cost put to tender. The justification has been worked out by Planning Division at 0.96% below the estimated cost put to tender i.e. Rs.79,53,364/-. The

lowest quoted rates of M/s Brij Basi Hi-Tech Udyog as compared to the justified rates are quite competitive and reasonable and has been recommended by the department for acceptance. **The validity of tender has been extended by the contractor upto 31.5.2008**

#### **4. DETAILED PROPOSAL OF THE PROJECT:**

The preliminary estimate has already been approved by the Council vide Reso. No. 03 (U-3) dated 20.12.2006.

**Note: : List of equipments alongwith photographs and technical specifications of the appliances are the same as approved at the time of accord of A/A &E/S vide Reso. No. 03(U-3) dated 20.12.2006**

#### **5. FINANCIAL IMPLICATIONS OF THE PROPOSED PROJECT.**

The Budget provision of Rs. 2.5 crores under non plan funds is available vide page 29 H.O. A/C C.3.8(X) A for capital/original works of Fire Deptt. Budget Book 2008-2009.

#### **6. IMPLEMENTATION SCHEDULE WITH TIME LIMIT FOR EACH STAGE INCLUDING INTERNAL PROCESSING:**

The proposed work would be awarded in the month of May, 2008 and the time of completion is 90 days. Therefore the work is expected to be completed by Aug. 2008.

#### **7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT**

Finance Deptt. has concurred in the proposal vide Diary No. 1117/Finance dated 12.5.2008 to award the work of fabrication of disaster management and emergency rescue tender alongwith equipments and AMC in favour of M/s Brijbasi Hi Tech Udyog at their quoted rate of Rs. 77,20,569/- as checked by Planning division and recommended by Fire Officer cum NA subject to the following conditions:-

1. Availability of funds
2. Approval of the competent authority
3. It may be certified that the tender of M/s Brijbasi Hi Tech Udyog is as per terms and conditions of NIT.
4. In the justification prepared by the department, 1% cess has been added on the justified amount worked out. As in the comparative statement no cess/taxes have been loaded the same should also not have been taken in the justification statement. As such the department is advised to modify the justification statement accordingly before seeking approval of the competent authority.
5. Recommendation of CVO be brought on record before seeking approval of the competent authority.
6. Department must ensure and certify that all guidelines issued by CVC have been adhered to.

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

Parawise reply to the observations raised by the Finance Department is as under:

1. Sufficient funds are available i.e. 2.5 crores under the head of a/c C.3.8.(X)A in the current financial year 2008-2009.
2. The case is being laid before the council after taking approval of the Chairman.
3. It is certified that tender of M/s Brij Basi Hi Tech Udyog is as per terms and conditions of NIT.
4. The 1% cess has been added by the Planning Division on the justified amount is as per the latest guidelines and is in order.
5. Recommendations of Technical Sub-Committee are placed in the file.
6. It is ensured and certified that all guidelines issued by CVC have been adhered to.

**9. LEGAL IMPLECATION OF THE PROJECT.**

NIL

**10. DETAILS OF PREVIOUS COUNCIL RESOLUTIONS, EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THIS SUBJECT.**

The council has already approved this project vide Reso. No. 03(U-3) dated 20.12.2006 There is nothing related to law of Parliament and Assembly for this project.

**11. COMMENTS OF THE LAW DEPARTMENT ON THE PROJECT**

No Law point is involved.

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

NIL

**13. RECOMMENDATIONS:**

The tender of M/s Brij Basi at their quoted rates i.e. 2.927% below the estimated cost with a tendered amount of Rs.77,20,569/- (Rupees seventy seven lacs twenty thousand five hundred sixty nine only) is recommended for acceptance by the Council.

**14. DRAFT RESOLUTION:**

Resolved by the Council that the lowest tender of M/s Brij Basi Hi Tech Udyog. at their quoted rates and tendered amount of Rs.77,20,569/- (Rupees seventy seven lacs twenty thousand five hundred sixty nine only) i.e 2.927% below the estimated cost be accepted.

**COUNCIL'S DECISION**

Resolved by the Council to accord administrative approval and expenditure sanction for Rs.79,20,569/- for fabrication of Disaster Management & Emergency Rescue Tender alongwith requisite equipment, including Annual Maintenance Contract (AMC) for five years, from M/S Brij Basi HI Tech Udyog, subject to the condition that Department shall get the recommendations for these purchases from NDMA for the proposal.

Further resolved that Department may take action in anticipation of confirmation of the Minutes by the Council.

When the Council considered the minutes of the meeting held on 21.5.2008 for confirmation in its next meeting held on 18.06.2008, the Fire Officer informed the Council that the Chairperson, District Disaster Management Authority, New Delhi, vide U.O. No.DC/ND/DMA/2895 dated 22.05.2008 and the NDMA, vide their Letter No.NDMC/Mock-Ex/UT/Delhi/2008 dated 5<sup>th</sup> June, 2008, have recommended acquisition of rescue tender with modern equipment stating that creation of Specialist Response Teams in NDMC and equipping them with state of the art equipment for disaster management would help in quicker response.

ANNEXURE 2 + 3 PAGES



**LIST OF EQUIPMENTS**

<b>S.No</b>	<b>Description</b>	<b>Qty.</b>
1.	Compressed Air BA set of 45 Minute duration	2 Nos.
2.	Spare cylinder capacity 6 litres and 300 bar	2 Nos.
3.	Specification of Portable drill machine	2 Nos.
4.	Pulling & lifting Machine cap. 2.5 ton complete with wire rope and hook as per ISI mark	1 Nos.
5.	Pulling & lifting machine cap. 1.5 ton complete with wire rope and hook as per ISI mark	1 Nos.
6.	Circular Saw	1 Nos.
7.	Self Rescue Escape Unit with Ascending & Descending mechanism	1 No
8.	10.5 meter double extension ladder	1 No.
9.	Diamond Chain Saw	1 No.
10.	Bullet Chain Saw	1 No.
11.	First Aid Medical Outfit for 40 persons	2 Nos.
12.,	Blanket (Woolen) Oswal/Raymond	2 Nos.
13.	Asbestos Blanket (size 2x2metre)	2 Nos.
14.	Asbestos gloves	6 Nos.
15.	Smoke Extractor cum Blower	1 No.
16.	Sling Rope Manila- 50 Meter	1 No.
17.	Lowering Line 50mm circumference, 50 meter long	1 No.
18.	Lowering Line 50mm circumference, 30 meter long	1 No.
19.	Short line 50mm circumference, 15metre long	1 No.
20.	Thigh Boot (chemical & temperature resistant) as per EN 345 standard	4 pairs
21.	Inflatable Boat/Dinghy Capacity 4-6 person	1 No.
22.	Chain Saw for wood cutting 12"	1 Nos.
23.	Rechargeable cordless spot light	2 Nos.
24.	Flood Light-1000 watts	2 Nos.
25.	Electrically operated concrete breaker	2 Nos.
26.	Life Jacket	4 Nos.
27.	Lifebuoy	4 Nos.
28.	Underwater breathing apparatus set with full face mask, wet suit & other accessories/.	1 Nos.
29.	Heavy duty hydraulic multi function spreader	1 No.
30.	Heavy duty hydraulic premium(Lukas LS -511 EN) cutter	1 No.
31.	High performance Telescopic Rescue Ram (LTR-12)	1 No.

32.	Petrol Driven Hydraulic Power Unit Motor pump	1 No.
33.	Lifting bag capacity 40 ton with air cylinder, hose and other accessories	1 No.
34.	Hydraulic Hand Pump Lukas (LH-2/1,8-63)	1 No.
35.	High Air Pressure Compressor for filling BA set 100 LPM capacity, C.E certified	1 No.
36,	Polyester Rope Ladder	1no.
37.	Rope Ladder with snap books (nylon rope length 25 feet (8m))	1 no.
38.	Disc for metal cutting, 300mm diameter	5 no.
39.	Disc for concrete cutting, 300mm diameter	5 no.
40.	Grapnel with wire cable	1no.
41.	Hook Grapnel with chain	1 no.
42.	Grapnel with wire cable	1 no.
43.	Rescue Line 30m long	2 no.
44.	Cordoning Ropes each dia 25mm, 15m long (manila rope)	1 no.
45.	Nylon rope each 30m long dia 20mm	2 no.
46.	Electrical flexible cable 3 core, 6 sq.mm copper conductors, overall PVC sheathed, 1100 V grade, 30m as per IS 694 long on drums (reels)	4 no.
47.	Picks with Handle	1 no.
48.	Large Axe	2 no.
49.	Crow bar, 1 m long	4 no.
50.	Sledge Hammer	4 no.
51.	Hammer 3 kgs.	4 no.
52.	Rake 3 prong	4 no.
53..	Shovels (12" x 15") folding type	1 no.
54.	Tripod for Search Light	1 no.
55.	Distribution Boards complete with suitable switches with 4 nos. of three pin out let sockets &with 8 nos. of three pin out let sockets	1 no.
56.	Dry chemical Extinguisher 10 kgs.	2 no.
57.	Salvage Sheets (3m x 3m)	4 no.
58.	Rubber mat 20mm thick, 300mm x 300mm	2 no.
59.	Portable Generator Set 5 KVA	1 no.
60.	25KVA Alternator Unit	1 no.
61.	Telescopic Light Mast complete with 4x1000 Watt Lamp	1no.
62.	Hydrulic Winch 6 Ton	1 no.
63.	Light bar with P.A. system and siren (75 Watt) Grand make	1no.
64.	Rubber gloves tested for electric fire	4 no.
65.	Safety belt system	2 no.



66	Trickle type battery charger	1 no.
67	Normal maintenance tools	1 no.
68	Portable light tower	1 No.
69.	<u>SUBMIT DETAILED SCHEDULE ALONGWITH FABRICATION PROCEDURE (TECHNICAL DETAILS) FOR RESCUE TENDER</u>	

**ITEM NO. 20. (W-2)****1. Name of the subject/Project**

Project for Re-development of Yashwant Place Cinema Complex

**2. Name of the Department**

Projects Department.

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

During the pendency of the SLP No. 21183 of 2005 in the Hon'ble Supreme Court, NDMC had engaged M/s ILFS IDC Ltd to advise inter alia, upon the possible model for marketing & maintenance of the development, keeping it as a high revenue earning & state of the art project and also for preparation of Bid documents & Bid process management. The recommendations of the consultants were placed before the council in its meeting held on 28/03/2007. The council resolved to procure bids from interested parties with the help of consultants for redevelopment as a Multiplex-cum-Commercial Complex.

Thereafter, vide judgment dated 31/08/2007 in Civil Appeal No 4002 of 2007 (arising out of SLP (C) No 21183 of 2005) the Hon'ble Supreme Court held that the judgments of the Ld Single judge as affirmed by the Division bench of the High Court do not suffer from any infirmity to warrant interference and accordingly dismissed the appeal. However the court granted the petitioners *time till 31/12/2007 to deliver vacant possession to the respondent- NDMC*.

The Council had earlier observed that so long as possession is not resumed by NDMC, neither proper redevelopment can be carried out nor will any bidder look at the project with any seriousness and in order to ensure normal and fair competition and high bids, resumption of possession is necessary. Accordingly, in anticipation of resumption of possession by 31/12/2007 in terms of the Judgment of the Hon'ble Supreme Court, the bids process was initiated in December 2007.

A two stage bid process comprising an RfQ (request for qualification) stage and an RfP (request for Proposal) stage was adopted. The bid documents were prepared with the help of consultants based on the guidelines issued by the Ministry of Finance, GoI for the PPP projects. The bid documents were prepared in consultation with all the concerned departments viz. the Finance Department, The law

department, the Estate department, the Architecture and Environs department and the Civil engineering department.

Wide publicity was given to the RfQ by publishing the RfQ advertisement in leading newspapers (including financial newspapers):

- a) Times of India
- b) Nav Bharat Times (Hindi)
- c) Economics Times
- d) Hindustan Times
- e) Hindustan

The advertisement and the RfQ was also placed on the NDMC website for wide publicity. The prospective bidders were allowed to seek clarifications and all such clarifications received within the prescribed time were duly considered by the Empowered Committee and incorporated wherever necessary in the RfQ document.

Twenty five applicants (individual companies and consortia) submitted their applications in response to the RfQ by the due date viz 21/1/08. These were:

1. Ansal Properties & Infrastructure Ltd.
2. A. B. Sugars Ltd.
3. Ambience Developers & Infrastructure Private Limited
4. Ambuja Realty Development Limited
5. Ansal Housing & Construction Ltd.
6. DLF Commercial Developers Ltd.
7. Kumar Housing & Land Development Ltd.
8. Omaxe Ltd.
9. DS Constructions Ltd.
10. E- City Construction Private Ltd.
11. Suncity Projects Pvt. Ltd
12. TDI Infrastructure Private Limited
13. Vardhman Properties Ltd.
14. Forum Projects Private Limited
15. SBPL Infrastructure Limited
16. M2K Entertainment Pvt Ltd
17. Cinemax India Limited
18. MGF Developments Limited
19. Parsavnath Developers Ltd.
20. Spirit Global Constructions Pvt Ltd
21. Supertech Limited

22. Unitech Ltd.
23. SRS-Era
24. Select Infrastructure Pvt. Ltd.
25. Viridi Merchants Pvt. Ltd.

A bid Evaluation Committee was constituted by the competent Authority with the following members to evaluate the bids with the help of the consultants:

1. Chief Architect
2. Chief Engineer (Civil)
3. Director (Estate)
4. Add. F.A.
5. Director (Projects)

After evaluation, following 14 bidders were short listed for participation in the second stage of bidding:

- 1) Ansal Properties & infrastructure Ltd.
- 2) A.B.Sugars Ltd.
- 3) Ambience Developers & Infrastructure Private Limited
- 4) Ambuja Realty Development Limited
- 5) Ansal Housing & Construction Ltd.
- 6) DLF Commercial Developers Ltd.
- 7) Omaxe Ltd.
- 8) E- City Construction Private Ltd.
- 9) Forum Projects Private Limited
- 10) Cinemax India Limited
- 11) MGF Developments Limited
- 12) Parsavnath Developers Ltd.
- 13) Select Infrastructure Pvt. Ltd.
- 14) Unitech Ltd.

The RFP document was issued on 23/04/08 to all the 14 Pre-qualified bidders. A pre-bid meeting was held on 28/04/08 and was attended by all the 14 prequalified bidders and the members of the bid Evaluation Committee. The queries received were discussed in the Empowered Committee meeting held on 02/05/08 and appropriate replies were given to all the bidders.

Two bids The bids were opened on 16/05/08 in the presence of Evaluation Committee members.

#### 4. Detailed proposal on the subject/project

The last date for submission of the RfP was 16/05/08. **2 (Two)** nos. of bidders have submitted their bids namely:

1. DLF Ltd.
2. Ambience Developers & Infrastructures Pvt. Ltd

The RfP was invited in two covers -

Cover – I - Responsiveness including Bid Security, Power of Attorney, MoA etc.

Cover – II - Financial Bid

The first cover containing the bid security was opened on the same date i.e 16/05/08. After verification of the Bank Guarantee submitted, the second cover will be opened on 19/05/08 and brought before the Council.

The above is submitted for information of the Council.

#### 5. Financial implications of the proposed project/subject :

The financial bids have been invited on the quote for the highest upfront premium to be paid by the successful bidder on or before handing over of the demised premises (**Reserve price being Rs 75 crores**). In addition of the Upfront Premium, the concessionaire will be liable to pay to NDMC a concession fee of **Rs 100.00 per sqft per month** of the permissible floor area, with an escalation @ 15% after every three years.

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

Under the draft concession agreement issued with the RfP documents, the Concessionaire has been allowed 24 months to complete the project. The concession will be for a period of 30 years.

#### 7. Comments of the Finance Deptt. on the subject

**N A**

#### 8. Comments of the deptt. on comments of Finance Deptt.

**N A**

#### 9. Legal implications of the subject/project

**N A**

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

Resolution No 3(xvii)	Dated 04/07/2002
Resolution No.15(Q-5)	Dated 26/8/2004
Resolution No.24(W-4)	Dated 19/5/2006
Resolution No.I(W-7)	Dated 13/10/2006
Resolution No.I(W-8)	Dated 28/03/07

**11. Comments of the Law Deptt. on the subject/project**

**N A**

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

**N A**

**13. Recommendation**

Submitted for information of the Council.

**COUNCIL'S DECISION**

This Item was taken up along with Item No.27 (W-3).  
Decision of the Council is recorded against Item No. 27(W-3).

**ITEM NO. 21 (F-2)****1. Name of the subject/Project**

Introduction of Unit Area Based System of determination of Annual Rental Value – finalization of byelaws

**2. Name of the Department**

Tax Department

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

The tax department, in consultation with the law department, had prepared draft byelaws for introduction of the Unit area system of determination of the Annual Rental Value. The bye laws were based on the recommendations of the Committee constituted u/s 9 of the Act for this purpose as also the recommendations of the third Finance Commission. After approval of the Council in its meeting held on 13/02/2008, a Public notice was issued on 17/02/2008 in **Times of India and Navbharat Times**, inviting objections/suggestions on the proposed bye laws. The draft byelaws were also placed on the NDMC website for wider publicity. Large number of objections/suggestions were received by the due date viz 29/02/2008. The objections were analyzed by the tax department. Thereafter, to consider the objections the Chairperson set up a committee comprising the FA, LA and Director(Tax) and the legal consultant, to explain the salient features of the proposed bye-laws and to have reactions of the persons who had filed the objections/suggestions. This Committee held public hearings on 28/03/2008. The minutes of the public hearings were brought out in agenda item No. 15(F-1) dated 28/04/2008 which may be read as part and parcel of this Agendum. The Council resolved that the matter be first considered by the Committee already constituted under section 9 of the NDMC Act for determination of Bye-laws. Accordingly, the matter was placed before the Committee constituted under section 9 of the NDMC Act on 02/05/2008. It was decided that the representative of the resident Welfare association will be heard by the Chairperson on 07/05/2008 to ensure that the concerns of the residents of NDMC area are suitably addressed in the bye-laws. Chairperson heard the representatives of RWAs on 05/05/2008. The representation of the Federation of the Associations of the Babar Road, Diplomatic Enclave, Golf Link and Jor Bagh is placed at **Annexure A (See pages 130 - 131)** The matter was again discussed in the Committee constituted under section 9 on 09/05/2008 and minutes of the meeting are placed at **Annexure B (See pages 132 - 133)**

#### **4. Detailed proposal on the subject/project**

It is proposed that the recommendation of the committee constituted u/s 9 of the Act to consider the byelaws be accepted.

It is proposed to submit the byelaws as modified by the Committee u/s 9, to the GNCTD for notification w.e.f. 01/04/2008.

#### **5. Financial implications of the proposed project/subject :**

Already brought out in the agenda item placed before the Council on 28/04/2008. Agenda item No. 15(F-1) dated 28/04/2008 be read as part and parcel of this agenda

#### **6. Implementation schedule with timeliness for each stage including internal proceeding:**

After Council's approval, the byelaws will be sent to the GNCTD for notification in the official Gazette. The byelaws are proposed to be implemented w.e.f. 1/4/2008.

#### **7. Comments of the Finance Deptt. on the subject**

NA

#### **8. Comments of the deptt. on comments of Finance Deptt.**

NA

#### **9. Legal implications of the subject/project**

As discussed in Agenda item No. 15(F-1) dated 28/04/2008

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

- (i) **Resolution No 3(viii) dated 21/01/2003**, - The Council decided to await the final report of the expert Committee setup in respect of MCD on Unit Area Method. It was further decided that pending implementation of the Report in MCD, the feasibility of introducing this method of property taxation in NDMC along with the pros and cons may be examined
- (ii) The recommendations of the Dharmarajan Committee were brought before the Council in its meeting held on **27/6/03 (item No 3(xviii))**
- (iii) A position paper on Unit Area Method of Assessment in NDMC was placed before the Council in meeting held on **13-02-06 (Item no. 19(F-5))**. The



position paper analysed the reasons for adoption of unit area method in other municipalities, the advantages and disadvantages of the present system in NDMC and alternatives and suggestions with regard to introduction of Unit Area Method of property tax assessment in NDMC. The Council resolved that the position paper be enlarged to consider the overall revenue position and projected revenue receipts of the NDMC, as anticipated, for the next five years, and make recommendations on the method by which the municipal body can continue to provide high quality services while maintaining its fiscal health. Since property tax is a key element of NDMC revenues, the means and methods of assessment of property tax (UAM/Actual Value etc.) to maximize revenues and collection efficiency be suggested. A sub-Committee be constituted under Section 9 of the New Delhi Municipal Council Act, 1994 (the Act). Chairperson was authorized to finalize the composition.

- (iv) Recommendations of the Committee constituted u/s 9 were accepted by the Council in principle vide resolution dated **12/02/2007**
- (v) Draft byelaws approved by the council in its meeting held on **13/02/2008** vide resolution **No. 24(F-6)**
- (vi) Analysis of the objections/suggestions placed before the Council vide Agenda item No. 15(F-1) dated **28/04/2008**

#### **11. Comments of the Law Deptt. on the subject/project**

The bye laws are as per the advise of the law department.

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

NA

#### **13. Recommendation**

The proposals as contained in para 4 are placed for Council's approval. In anticipation of the confirmation of the minutes, the department be authorized to send the byelaws to GNCTD for notification.

#### **COUNCIL'S DECISION**

Resolved by the Council to approve the proposal of the Department as contained in para 4 of the agenda.

It was further resolved that the Bye-laws be sent to GNCT, Delhi, for their approval and publication in the Delhi Gazette, in anticipation of confirmation of the minutes by the Council.

**ANNEXURE-A****FEDERATION OF ASSOCIATIONS OF BABAR ROAD,  
DIPLOMATIC ENCLAVE, GOLF LINKS & JOR BAGH**7<sup>th</sup> May, 2008

To,

The Chairman  
New Delhi Municipal Committee  
Palika Kendra, Sansad Marg,  
New Delhi – 110001

**Sub:- NDMC House Tax Bye-laws for Introduction of Unit Area Method.****Sir,**

Thank you for this opportunity to express views on behalf of our members.

It is humbly submitted:-

1. Constitution of Valuation Committee  
We strongly recommend that public representatives must form part of this important Committee. It must include the area Member of Parliament, Area Member's of Legislative Assembly and RWA representatives.
2. Once the UAM is introduced, any consideration for increase should be only after a period of 5 years if not 10 years.
3. The proposed section 14(7) of the bye-laws should be deleted. It has all the ingredients to encourage litigation. Plotted residential colonies need be assessed uniformly.
4. The PURPOSE of houses in any residential planned colony is Residential, there should be NO distinction between personally owned houses or company owned house.
5. Re. AGE FACTOR  
The plotted residential colonies of Golf Links, Jor Bagh & Diplomatic Enclave (along with Sunder Nagar) were sold by auction in 1953. In all reasonability at 10 years span for development/construction must be considered.  
  
We suggest that the age factor slabs be constituted as:-
  - a) 1<sup>st</sup> slab those constructed before 1954 at 0.4.
  - b) 2<sup>nd</sup> slab those constructed before 1964 at 0.5
  - c) 3<sup>rd</sup> slab those constructed before 1974 at 0.6 and so on.
6. Families who bought plots in 1953 occupy even today about 60% houses. For them implementation of UAM will mean an increase of 7 to 10 times. We suggest for such cases increases should not be more than three times at a time.
7. Covered spaces like servant quarters, verandas, garages, basements etc should be assessed at 50% of the residential space.

8. As stated above these colonies were sold as plotted residential colonies. The open spaces are mandatory OXYGEN LUNGS to consider taxing them is not proper. This provision must be deleted.
9. REBATES:- In our memorandums we had suggested that timely early payment must attract a discount and that there should be rebates for senior citizens, women etc. This must be provided in the scheme.
10. We feel strongly that for A class colonies the basic rate should be Rs.630.00 it should not be any different from what is being paid by residents of Sundar Nagar. The multiplication factor should be the same as is applicable to Sundar Nagar where it is 2 against 3 as proposed by the NDMC. We request that factor 2 should only be applied.
11. Properties falling under the ambit of Bye-laws 13 are not yielding much revenue to NDMC, whereas they constitute 80 by volume and area. We assure NDMC of our fullest cooperation in that respect-building public opinion that, Central Government must compensate NDMC in this matter.
12. Increasing NDMC revenue. It must be kept in mind that once the Zonal plans (As proposed in Master Plan) are announced there will be a spurt in building activity in these areas. In next 5 to 10 years another 40% more dwelling units would be added along with basements, giving a boost to NDMC revenue from these colonies.

Assuring you of our best cooperation.

Yours Truly

-sd-

Jittender Kapoor  
Vice President  
Federation of Association of Babar Road, Diplomatic Enclave, Golf Links &  
Jor Bagh.

Encls. Our letters of 27<sup>th</sup> Feb 2008 & 31<sup>st</sup> March, 2008.

**ANNEXURE B**

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

**MINUTES OF THE COMMITTEE CONSTITUTED U/S 9 OF NDMC ACT 1994, FOR**  
**ADVISING THE COUNCIL ON FRAMING BYE-LAWS / REGULATIONS, HELD ON**  
**09.05.2008 IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.**

**PRESENT :**

- |           |                        |          |                    |
|-----------|------------------------|----------|--------------------|
| <b>1.</b> | <b>Sh. Parimal Rai</b> | <b>-</b> | <b>Chairperson</b> |
| 2.        | Smt. Tajdar Babar      | -        | Vice Chairperson   |
| 3.        | Sh. Ashok Ahuja        | -        | Member             |
| 4.        | Ms. Sima Gulati        | -        | Member             |
| 5.        | Sh. Mukesh Bhatt       | -        | Member             |
| 6.        | Sh. Vikram Dev Dutt    | -        | Secretary, NDMC    |

<b>ITEM NO.</b>	<b>SUBJECT</b>	<b>DECISION</b>
<b>01</b>	Introduction of Unit Area Based System of determination of Annual Rental Value – finalization of byelaws.	<p>Resolved that the Bye-Laws-12, 13, 14 &amp; 14A of House Tax Bye-Laws, 1962 be recommended to the Council for approval with the following suggestions :-</p> <p>(i) The location factor of covered space in basement used for storage, parking, utilities etc. be taken as <b>0.5</b> ;</p> <p>(ii) An explanation may be added to explain the term 'rent' and 'let' to include licence, sub-tenancy, franchise etc. and that rateable value shall be in multiples of <b>one hundred</b> ;</p> <p>(iii) Bye-Law-14(7) should exclude residential properties used by occupier exclusively for residential purposes ;</p> <p>(iv) Under Bye-Law-14A, Valuation Committee be authorized to recommend method of determination of RV of petrol pumps, towers, hoardings and to specify the area of the land to be included in the case of schools, colleges, clubs etc. for Bye-Law-13.</p> <p>(v) where annual value of the building is determinable under more than one clauses of bye-Law-14, the AV shall be the aggregate of the annual value determined under various clauses of this bye-law ;</p> <p>(vi) where rateable value is to be increased for the period after 31<sup>st</sup> of December in a financial year, the</p>

		<p>said increase shall be effective from the commencement of the next financial year ;</p> <p>2. Resolved further that at the time of determining the rates of property tax, in order to give relief to self occupied properties upto a rateable value of Rs.1 lac and self occupied residential properties occupied by senior citizen, women and handicap, a lower rate of tax and/or rebates from the payment of property tax may be considered.</p> <p>3. Resolved further that if Government of NCT of Delhi feels that framing of NDMC {Rateable Value Bye-Laws} would be more appropriate, than substituting Bye-Laws-12, 13, 14 &amp; 14A in place of the existing Bye-Law-12 to 14 of the House Tax Bye-Laws, 1962, the Bye-Laws-12 to 14A, after incorporating the above suggestions, may be framed as NDMC {Rateable Value Bye-Laws}, 2008.</p>
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**ITEM NO. 23 (C-8)****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 April 2008, 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 135 - 146).**

**COUNCIL'S DECISION**

Information Noted.



























Annexure end

**ITEM NO. 23 (C-9)**

**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 March, 2008 had already been included in the Agenda for the Council Meeting on 28.04.2008.

A report on the status of execution of the ongoing schemes/works awarded upto April, 2008 is placed before the Council for information. **(See pages 148 - 174).**

**COUNCIL'S DECISION**

Information Noted.

**ANNEXURE**

























































**ANNEXURE END**

**ITEM NO. 24 (B-4)****Subject: Rationalization of Procedure for procurement of Major Materials.****Department:** Electricity Department**Brief History of the Proposal:**

Material procurement in the Electricity Department is through the process of tendering system which involves preparation of NITs, publicity of tender, evaluation of techno-commercial bids, meeting of Technical Evaluation Sub-committee, evaluation of financial bids, examination of tender cases in the Planning, concurrence of finance, negotiation with the supplier firm and approval of Chairperson/Council for purchase. At each stage of tendering process, a number of codal formalities are required to be completed to comply with the requirement of tendering procedure and standing guidelines as per CPWD Manuals, CVC Guidelines/provisions of GFR-2005. The steps involved are time consuming at each stage as scrutiny of voluminous documents having techno-commercial bearing need a thorough examination at every level.

Whereas CPWD manual specifies a set time frame for tender process to be completed, however in actual practice it is seen that the time consumed is much more than what is stipulated and rarely the time schedule prescribed is adhered to in dealing with tender cases of tailor made items specially HT/LT switchgears, transformers, cables etc. In many of the cases during the intervening period of opening of tender and finalization, the cost of basic raw material increases in the open market and the participating firms do not extend the validity with the result tender cases are dropped which makes entire process futile.

**Detailed Proposal on the Subject:**

The Council vide resolution No.33 (B-29) accorded in principal approval to process purchase cases amounting to Rs.378.82 Crores for material as per assessment of constituted committee to prepare road map for revamp of electrical system in NDMC area. Items such as HT/LT cables, feeder pillars, 33 KV/HT/LT cables, HT/LT switchgears, unitized substations, dry type transformers, dry type maintenance battery etc were included for purchase as a future requirement of material for revamp of the electrical system in NDMC area. The procurement of material as detailed in the brief history of the proposal is generally done in the department on open tendering basis. Generally purchase action is initiated when the estimates are sanctioned or are under sanction. This necessitates initiating purchase cases time and again. As most of the materials are specialized items and specific to our requirement detailed specifications/tender documents have to be prepared and tenders invited in 3 cover system and the tendering process has to be dealt to comply the codal provision and guidelines for tendering. All these being time consuming process cause delay in finalization of the tender in most of the cases.

Considering above Shri Y.P. Singh, Advisor (Power) and Shri R.N. Mathur, Advisor (Elect.) had put up a note for rationalization of procedure for procurement of major material and the same was discussed in the meeting of Empowered Committee held on 12.5.08 at 4.00 PM in the Council Room and following decisions were taken:-

1. The Rate Contract may be made for the items as per Annexure-I after considering the requirement for the next 2-3 years.
2. CE (E) may ensure that the action taken as per Resolution No.33 (B-29) dated 17.10.2007 is taken into consideration while determining the requirement of material, conditions of contract and specifications in each case.
3. Tenders as per the normal tendering procedure be invited for each item separately. For this purpose the tender conditions/specifications may be suitably

amended to suit the requirement of Rate Contract with the concurrence of the Finance and Law Departments. The quantity deviation clause should also be suitably amended considering that these rate contracts will be for a period of 2-3 years and deviation of quantity can be more than that in tenders for purchase for individual cases. The price variation clause should be kept such that they are mutually acceptable and suited to the NDMC's requirement. The proposal for the rate contracts for individual item should be got approved from the Council after the concurrence of Finance. The indent for the requirement of individual project will however be placed with the firm with the approval of the Chairperson after the main Rate Contract is approved by the Council.

**FINANCIAL IMPLICATIONS:** - Rs. 223 Crores (Two Hundred Twenty Three Crores) already approved by Council vide item No. 33 (B-29) dated 17.10.07

**IMPLEMENTATION SCHEDULE** - On receipt of approval of Council, NITs for entering into Rate Contract in respect of material as per **Annexure-I(See pages 177 - 178)** would be initiated and quantity of material will be procured in parts spread over a period of 2 to 3 years so that same is utilized immediately on receipt of material in stores.

**RECOMMENDATIONS OF THE DEPARTMENT** - Case may be placed before the Council for acceptance of recommendations of the Empowered Committee in its Meeting held on 12.5.2008 as detailed above.

#### **DRAFT COUNCIL'S DECISION**

Resolved by the Council that approval to call tender as per normal tendering procedure for entering into Rate Contract for a period of 2-3 years in respect of material indicated in Annexure-I of Agenda at an estimated cost with in Rs. 223 Crores already approved by Council vide item No. 33 (B-29) dated 17.10.07 for making availability of material for proper utilization against sanctioned estimates, is accorded as recommended by the Empowered Committee in its Meeting held on 12.05.08 at 4.00 PM in the Council's Room regarding rationalization of procedure for procurement of major materials for Electricity Department.

#### **COUNCIL'S DECISION**

Deferred. May be noted in the next Council Meeting after due consultation with Finance Department and Law Department.



**ANNEXURE-I****MAJOR MATERIAL FOR RATE CONTRACTS FOR THE REQUIREMENT OF NEXT 2-3 YEARS**

<b>S.No.</b>	<b>Name of Item</b>	<b>Quantity(Required for next 2-3 Years)</b>
01.	Transformers (Dry Type) i) 1500/1600 KVA ii) 1000 KVA	25 Nos. 150 Nos.
02.	HT XLPE CABLE 11 KV(ARMoured) i) 400 sq. mm ii) 300 sq. mm iii) 150 sq. mm	200 Km 20 Km 20 Km
03.	LT XLPE Cable (Armoured) i) 400 sq. mm x 3.5 C ii) 300 sq. mm x 3.5 C iii) 185 sq. mm x 3.5 C iv) 95 sq. mm x 3.5 C v) 50 sq. mm x 3.5 C vi) 25 sq. mm x 3.5 C vii) 16 sq. mm x 4 C viii) 16 sq. mm x 2 C ix) 10 sq. mm x 2 C	100 Km 30 Km 20 Km 30 Km 40 Km 50 Km 60 Km 20 Km 25 Km
04.	HT (SF 6) 11 KV Panels 350 MVA (SF 6 Vaccum) i) Incoming 1250 A ii) Outgoing 630 A iii) Bus Coupler 1250 A iv) Isolators	200 Nos. 200 Nos. 50 Nos. 10 Nos.
05.	LT ACB Boards i) 1600/1500 KVA ii) 1000 KVA	20 Boards 65 Boards
06.	Unitized sub-station 990 KVA	10 Nos.
07.	Transformer Oil	100000 Liter
08.	Heat Shrink Jt. Kit 11 KV (End Termination / Straight Joints) i) 400/300 sq. mm ii) 150 Sq. mm iii) 70 Sq. mm	800 Nos. 100 Nos. 50 Nos.
09.	Heat Shrink Kits (LT) i) 400/300 sq. mm ii) 185 sq. mm iii) 95 sq. mm iv) 25 sq. mm	1000 Nos. 300 Nos. 400 Nos. 1000 Nos.
10.	General Supply Pillars i) Big size ii) Medium size iii) Small size	400 Nos. 100 Nos. 50 Nos.

11.	Fuse Bases (Siemens Type) i) 630 A ii) 400 A iii) 250 A	12000 Nos. 15000 Nos. 2000 Nos.
12.	Rewire able Fuse Bases i) 100 A ii) 63 A iii) 32 A	10000 Nos. 10000 Nos. 5000 Nos.
13.	Earthing Kits i) Copper Plate ii) G.I. Pile	200 kits 1500 kits

**ITEM NO. 25 (B-5)**

1. **Name of Work:** Estimate for the purchase of 1 no. 50 MVA, 66/33 KV Power Transformer.
2. **Name of Department:** Electricity Department.
3. **Brief history of the Subject:** There are 2 nos. of 50 MVA, 66/33 KV BHEL make power transformers installed at our 66 KV Electric Sub Station, School Lane. Out of these 2 power transformers, 1 no. power transformer became defective in the year 2001. Efforts were made to get this power transformer repaired but the then Chief Engr.(E) approved to replace this power transformer with a new one as its repair was beyond economical repairs.

One no. similar power transformer was available in NDMC and the same was installed in place of the damaged power transformer.

Survey report of the damaged power transformer was subsequently prepared. The survey report was cleared by Finance and in principle approved by the Chairman, NDMC but the same is yet to be disposed off.

There are 4 similar power transformers installed in NDMC area viz. 2 at School Lane and 2 at Vidyut Bhawan. 3 more similar power transformers have been outsourced to be installed by M/s Power Grid namely in the proposed 66 KV Electric Sub Stations, Babu Dham, State Guest House and B.D. Marg.

Out of 2 power transformers installed at Sub Station Vidyut Bhawan, 1 no. has recently been repaired and the 2<sup>nd</sup> is also having some defects but the same has been put to use with temporary measures. As such both these transformers cannot be relied upon.

This was, therefore, decided to purchase one new power transformer so that the same is available as and when any of the existing 4 power transformers give way, particularly in view of the fact that procurement of such power transformers takes considerable period.

4. **Detailed proposal on the subject:** An estimate amounting to Rs.2,52,62,000/- has been framed for purchasing one new 50 MVA power transformer against the depreciation reserve fund under the Budget Head E-3.

**5. Financial implications of proposed Scheme: Rs.2,52,62,000/-.**

**6. Implementation Schedule with time:** Open tenders have already been called to purchase this power transformer and the same are presently under scrutiny by Finance. The power transformer expected to be received after about 8 months of placing the supply order with approval of Council.

**7. Comments of Finance on the subject:** Finance have concurred in the estimate vide their Dy. No.1043/finance dated 1.5.08 subject to the following conditions:

- a) Furnishing a report investigating the specific cause of flashover of the transformer and certifying that the flashover was not due to (i) negligence on the part of the department and or (ii) due to poor maintenance. It also needs to be certified that maintenance of transformers was/is being carried out as per prudent O&M practice.
- b) Placing on record the measures taken by the department to avoid recurrence of such flashover in future and the amount of loss incurred by the council and action taken to get the loss written off.
- c) Ascertaining the likely date of commissioning of 220 KV sub station at Ridge Valley from Transco. Transformer for Electric Sub Station, State Guest House, Chankya Puri may be purchased only after ensuring that 220 KV S/S at Ridge Valley is likely to be commissioned shortly.
- d) All codal formalities must be adhered to.

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

- a) The flashover occurred in the OLTC of the power transformer. The maintenance of the power transformers are carried out at present mostly confirming to the schedule.
- b) More care is being taken to avoid recurrence of such flashover in future by way of vigorous supervision and better maintenance.
- c) The work, as confirmed from DTL, has already been started to upgrade 66 KV Ridge Valley Sub Station to 220 KV level. These works are likely to be completed within 2 years.
- d) All codal formalities will be adhered to.

**9. Legal Implications of the Subject:** It does not involve any legal implication.

**10. Details of Previous Council's Resolution, existing Law of Parliament and Assembly on the subject:** -NIL-

**11. Comments of the Law Deptt. on Subject:** At this stage, no legal point is involved but this has our concurrence. However, department may ensure that facts and figures mentioned therein are correct and are as per approval of the competent authority.

**12. Comments of the department on the comments of Law Department:** -NIL-

**13. Recommendations:** The estimate may be noted to the Council that according administrative approval and expenditure sanction to the estimate amounting to Rs.2,52,62,000/- for purchase of 1 no. 50 MVA, 66/33 KV power transformer against the Depreciation Reserve Fund under the Budget Head E-3.

**Draft Resolution:**

Resolved by the Council that the estimate amounting to Rs.2,52,62,000/- for the purchase of 1 no. 50 MVA, 66/33 KV power transformer is approved and expenditure sanctioned against the Depreciation Reserve Fund under the Budget Head E-3.

**COUNCIL'S DECISION**

Resolved by the council that the estimate amounting to Rs. 2,52,62,000/- for the purchase of 1 Nos. 50 MVA, 66/33 KV power transformer is approved and expenditure sanctioned against the depreciation Reserved Fund under the Budget Head E-3.

**ITEM NO. 26 (E-3)**

Name of the Subject: - **Payment of Dumping Charges to MCD for disposal of Garbage at SLF Gazipur.**

Name of the Department:- **PUBLIC HEALTH**

**Brief History of the Subject: -**

There is a long pending issue regarding payment of dumping charges to MCD for dumping of garbage by NDMC at MCD Sanitary Landfill, Ghazipur.

Prior to May 1989, MCD was levying dumping charges @ Rs.10/- per vehicle. From May, 1989, MCD increased the charges arbitrarily from time to time and presently, MCD is raising the bill @ Rs.205/- per MT.

So far, NDMC has paid an amount of Rs. 2,03,29,110/- (Two crores three lacs twenty nine thousand one hundred ten only) to MCD on different dates. There is a long standing dispute in respect of weight of garbage and the rates MCD levied for dumping of garbage.

The then Chairman NDMC took up the matter in the Standing Committee of Chief Secretary on 16.3.1999 when it was decided that the concerned officials of MCD & NDMC would meet each other to work out the rates for payment of dumping charges by NDMC on 'NO PROFIT NO LOSS' basis. As a result, the then Commissioner, MCD wrote a letter to NDMC Chairman on 18.3.99 stating that "The sanitation and Finance Deptt. Officers of MCD have been directed to have a meeting with their counter parts in NDMC so that this outstanding matter is resolved without any further delay" But no initiative was made by MCD except raising demands for early payment.

Chairperson, NDMC in year 2000 had issued categorical directions that we should start paying MCD 225 MT's and then leave it to them to raise the issue as only then they will be under pressure".

Finance Department had advised to take action accordingly on "NO PROFIT NO LOSS" basis and also the matter be perused as per the direction of the Chairman, NDMC/Commissioner, MCD.

The matter has also been examined by the office of the Chief Auditor and had observed that prior to installation of weighment Bridge by MCD they had levied the charges on the basis of total carrying capacity of vehicles, even though the vehicles never carried full loads. The Audit observed that the MCD was raising debits not only at exorbitant rates but also for unrealistic quantity which was far in excess of even the total estimated generation of garbage in NDMC area. The MCD should levy only the cost incurred by them on behalf of NDMC. Later, a weighment bridge was installed by MCD at the dumping site on 4.8.2000. The weighment results during September 2000 to January 2001 revealed that the weight of garbage ranged between 187MT and 288 MT per day only (Average weight 221.22MT) as against the average of about 421.37MT for which MCD had been charging. The weighment results clearly indicated that over the years MCD had been raising exorbitant bills.

As per MCD, latest outstanding bill has been raised for an amount of Rs.11,81,18,620/- against NDMC up to September'2006 which is as per different rates fixed by MCD from time to time & currently the MCD is charging @ 205/- per MT.

**DETAILED PROPOSAL ON THE SUBJECT:-**

A Sub-Committee comprising CMO(MSW), AO(PH), AE(Projects), SO(HG) & SI(SLF) was framed by MOH to prepare a comprehensive note after going through all the aspects of long pending complicated issues for submitting the same to the Chairman, NDMC.

After due deliberations, the Sub.-Committee recommended as under:-

1. Either we should make payment to MCD as per their demand and as per rates fixed by them from time to time to which Audit has raised objections.  
or
2. Higher Officials of NDMC & MCD may sit together & negotiate the rates. On the negotiated rates, payment may be raised by the MCD & in turn be paid by NDMC.

The case was submitted to the Chairman who desired that a meeting be fixed with Shri Naresh Kumar, Addl Commissioner (Engg.), MCD. Accordingly, a meeting was held in the chamber of the Chairman, NDMC on 06/07/2007 and was attended by officials of MCD- Shri Naresh Kumar, Addl. Commissioner (Engg.), Shri Ravi Dass, Director-in-Chief, Shri P.K. Khandelwal, Jt. Director, Shri Tufel Ahmed, EE(SLF), and Dr. P.K. Sharma, MOH, NDMC. The matter was discussed in detail and the following decisions were taken:-

1. The MCD will furnish a certificate to the effect that MCD is charging same rates from other Govt. agencies also as are being charged from NDMC **where-after** payment will be released by NDMC accordingly; and
2. Prior to installation of weigh bridge, NDMC will release payment of amount for garbage as measured for the first time on computerized

weigh bridge for the past years also and not as per MCD's calculations.

In pursuance of the decision taken the EE, MCD **vide letter No.EE/DEMS/SLF/2007-08/129 dated 6.7.2007** mentioned that the rates for disposal of garbage at Sanitary Land Fill sites in Delhi circulated by EE/CSF/SLF/2003-04/541 dated 10.6.04 @ Rs. 205/-/MT is applicable for all Government/Semi Government/Private Limited/ Other Private agencies like NDMC, Delhi Cantonment Board, APMC, Pargati Maidan, PWD, CPWD, DDA, Railway etc. These rates have been charged as per actual expenditure incurred towards the cost of leveling & dressing of garbage at SLF sites on "No profit and no loss basis".

In the meanwhile, a second meeting was held on 29.8.2007 with Chairperson and was attended by Shri P.K. Khandelwal, SE and Mr. Sunil Tyagi, Chief Project Manager of MCD and it was requested **by MCD that the latest bills submitted by them from January, 05 onwards may be cleared and for the previous payment, MCD will furnish a fresh bill/statement** on the basis of decision taken in the meeting held on 6.7.2007. MOH

directed that the case for release of payment as requested by them may be processed in the first instance.

#### **FINANCIAL IMPLICATIONS:-**

While processing the case for release of payment for the period Jan.2005 to May 2007 (29 Months), it was noticed by the SI (SLF) that there is variation in the number of trips given by the MCD and in the record maintained by the sanitation staff of NDMC posted at SLF. It was further noticed that the MCD has intended to charged for **full capacity** of the truck (i.e. 4 MT) for the period when computers installed were not functioning, whereas from the statement, prepared by the Deptt., the average weight of garbage is approx. between 2.5MT and 2.75MT per truck. Keeping this in view, a meeting was held in the chamber of MOH on 30.11.2007 and was decided that average weight as per computerized weight for the specific month, be taken for the period of non-functioning of computers at SLF. Accordingly, the department has prepared a statement showing details of computerized weight as per record and the total amount demanded by the MCD for the period Jan. 2005 to May,2007 has decreased from Rs. 5,56,82,664/- to Rs. 5,12,08,707/-.

#### **COMMENTS OF FINANCE DEPARTMENT:-**

The case was submitted to Finance Department for concurrence to release the payment of Rs.5,12,08,707/- to MCD but the Finance Department raised certain observations. The case was again sent to Finance Department with reply to their observations

Finance Department vide Dy. No. 310/Finance dated 8.2.2008 concurred in to release the payment of Rs. 5,12,08,707/- to MCD as "On account payment" towards dumping charges for disposal of garbage at SLF, Gazipur by NDMC for the period Jan. 2005 to May,2007 as per calculation worked out by the Department duly checked by CMO's (South & North), Sanitation Officer, SI (SLF) and CSI subject to:-

1. Availability of funds.
2. Approval of the Competent Authority.
3. Certification by the Department that information, data & computations are correct.
4. It may also be certified by MCD that the weight taken for above said payment is acceptable to MCD and the long pending issue may be sorted out by the Department at the earliest.

#### **COMMENTS OF THE DEPTT. ON THE COMMENTS OF FINANCE DEPTT.:-**

The Parawise replies to the observations raised by Finance Department were furnished as under: -

1. Sufficient funds are available.
2. Since the budget provision has been got sanctioned, the payment will be released in anticipation of approval of the Council. However, approval of the Chairman is being sought.
3. The Department certifies that information, data and computations are correct.

As regards point No. 4 regarding certification by MCD for their acceptance to the weight of garbage as calculated by the NDMC during the period Jan. 2005 to May 2007, MCD officers were requested to issue the certificate in question. In response, Shri. Devender



Kumar, Chief Engineer, MCD met the Secretary, NDMC on 26.2.2008 at 4.00 PM along with MOH and the matter was discussed in detail. Shri. Devender Kumar, Chief Engineer, MCD explained that he is not the authority to issue such a certificate in his individual capacity. He, however, agreed that the matter will be placed before the competent authority of MCD in this regard. He explained that a sum of over Rs. 14 crores is outstanding against NDMC. As the MCD is facing financial crunch, he requested that the payment be released immediately and details of weight as calculated by NDMC for the period Jan. 2005 to May 2007 may be intimated to MCD, which will be placed before the competent authority of MCD for necessary action regarding issuance of required certificate.

After due deliberations, it was decided that in the light of the fact that payment is being released by one Govt. agency to other, payment be released and simultaneously MCD be requested to furnish the required certificate as early as possible.

#### **COMMENTS OF LAW DEPARTMENT:-**

The case was submitted to law deptt. for vetting the draft agendum and Law Department has made certain observations as under:-

1. "MCD is maintaining the landfill sites and NDMC has no such site. In view of the advantage position of MCD, we should settle the said issue and should not make only provisional payment.
2. Let us work out the zone wise generation of solid waste and collect the same from occupiers whose waste is transported by NDMC and they are not tax payers or it is generated in bulk by some owners who have capacity to pay. Let us bill the Embassy, State Bhawan, CPWD, Hotels and collect charges of landfill site and transportation etc. from them & pay MCD's charges, as may be amicably settled.
3. Please also collect from MCD, the rates at which they are collecting transportation & dumping charges in their area & the building from which such payments are received.
4. As for the present item of agenda is concerned, Law Deptt. has no objection".

#### **REMARKS OF HEALTH DEPARTMENT**

1. The department has gone through the observations of Legal Advisor. It is clarified that the garbage is property of Municipality and hence the responsibility of disposal of garbage is of NDMC. Even then, the observations of Legal Advisor will be considered.
2. Legal Advisor has seen the agenda item & mentioned that legal Department has no objection .

#### **RECOMMENDATIONS:-**

The case was submitted to the Chairman for according his approval to release the payment of Rs. 5,12,08,707/- to MCD for the period of January 2005 to May 2007 in anticipation of approval of the Council. Chairman very kindly approved the above payment to MCD and accordingly the payment of Rs. 5,12,08,707/- was released to MCD relating to the period from January'05 to May'07 (29 Months), Simultaneously requesting The Addl.

Commissioner, MCD to issue a certificate regarding acceptance of weight as calculated by NDMC vide Letter No. 64/SO(HG)/08 dated 26/03/2008.

The case is now placed before the Council for according **Administrative Approval and Expenditure sanction of Rs.5,12,08,707/- on ex-post** facto basis as dumping charges of NDMC's garbage disposed off at MCD's Sanitary Land Fill, Gazipur relating to the period January'05 to May'07 & also according approval of action already taken in this case.

#### **COUNCIL'S DECISION**

Resolved by the Council to accord Ex-post facto approval for payment of a sum of Rs.5,12,08,707/- to MCD as dumping charges for NDMC's garbage disposal at MCD's Sanitary Land fill site at Gazipur for the period from January 2005 to May 2007.

**ITEM NO. 27 (W-3)****Supplementary item in continuation to Agenda item No. 20(W-2).****1. Name of the subject/Project**

Project for Re-development of Yashwant Place Cinema Complex.

**2. Name of the Department**

Projects Department.

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

As brought out in Agenda item no. 20(W-2), two bids were received by the bid due date viz 16/05/2008 from :

1. DLF Commercial Developers Limited.
2. Ambience Developers & Infrastructures Pvt. Ltd

The first cover containing the bid security was opened on the same date i.e. 16/05/08. Cover II containing Financial bids was kept unopened till the responsiveness checked by the consultant.

The responsiveness was checked by the consultant and both the bids were found to be as per requirement of RFP. Bid Security submitted by both bidders, in the form of Bank Guarantees, were also verified by the consultant from the respective banks and were found to be in order. Report of the consultant is placed at **Annexure A (See pages (190 – 192)).**

Thereafter, on 19/05/2008, the Financial Bids contained in Cover II were opened in the presence of the two bidders as well as the members of the bid evaluation committee. The following quotes for the upfront premium to be paid to NDMC have been received

1. DLF Commercial Developers Limited has offered **Rs.85,32,00,000/- (Rupees Eighty Five crores thirty two lacks only)** as upfront premium.
2. Ambience Developers & Infrastructures Pvt. Ltd has offered **Rs.80,00,00,000/- (Rupees Eighty Crores only)** as upfront premium.

**4. Detailed proposal on the subject/project**

Letter of Intent (LOI) may be issued to highest bidder, M/s DLF Commercial Developers Limited who has offered the highest upfront premium of **Rs.85,32,00,000/- ( Rupees Eighty Five crores thirty two lacks only)** against the reserve price being **Rs. 75.00 crores** specified in the Request for Proposal

(RfP). The Upfront Premium i.e. **Rs. 85,32,00,000/- ( Rupees Eighty Five crores thirty two lacks only)** will be paid to NDMC in following installments :-

- (i). Ist Installment : 60% of the upfront premium is to be paid within 15 days of Issue of the Letter of Intent (LoI).
- (ii). 2nd Installment : 40% of the upfront premium is to be paid on or before the date of the possession, upon handing over the Demised premises to the concessionaire.

The detailed Project Report prepared by the consultants was placed before the Council vide Resolution No.I(W-8) dated 28/03/2007. The consultants had initially suggested an upfront premium of Rs 50 crore and a monthly concession fee of Rs 43 per sq ft per month which gives a net present value of revenues of Rs 159.09 crores from this project at a discount rate of 9%. The revenue expectations were revised upward following an increase in market rentals and a **reserve price for the upfront premium of Rs 75 crore** was frozen along with monthly concession fee of **Rs 100 per sq ft** per month with an escalation @ 15% after every three years. In NPV terms these work out to Rs 239.72 crore at a discount rate of 9%. The quote received is reasonable as in NPV terms the revenue shall be Rs 250.04 crore over the 30 year concession period which is higher than the reserve price fixed for this project after due consultation with the finance department. In addition, the Concessionaire shall also be liable to pay property tax to NDMC.

The bid evaluation committee has also recommended acceptance of the highest bid. The report is placed at **Annexure B (See pages 193 – 194)**.

**5. Financial implications of the proposed project/subject:**

As above

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

After approval of the competent authority, LoI is to be issued to the successful bidder. The Concession Agreement shall be signed within 30 days of issue of LoI by NDMC. Under the Concession, the Concessionaire shall be allowed 24 months to complete the project. The concession will be for a period of 30 years.

**7. Comments of the Finance Deptt. on the subject**

Nil

**8. Comments of the deptt. on comments of Finance Deptt.**

Nil

**9. Legal implications of the subject/project**

N A

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

Resolution No 3(xvii)	Dated 04/07/2002
Resolution No.15(Q-5)	Dated 26/8/2004
Resolution No.24(W-4)	Dated 19/5/2006
Resolution No.I(W-7)	Dated 13/10/2006
Resolution No.I(W-8)	Dated 28/03/2007

**11. Comments of the Law Deptt. on the subject/project**

N A

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

N A

**13. Recommendation**

Submitted for Approval of the Council for issuance of Letter of Intent (LOI) to M/s DLF Commercial Developers Limited being the highest bidder in terms of the RFP.

**COUNCIL'S DECISION**

There were detailed discussions on the agenda item No. 20(W-2) and 27(W-3). These were broadly on the following items:-

- (i) As to why the name of the project is Development of Yashwant Place Project and not Chanakya Cinema Project;
- (ii) What was the revenue in the last thirty years and anticipated revenue in a period of next thirty years;
- (iii) As to whether the proposal is as per the Council's earlier Resolutions and NDMC's written/oral submissions before the Supreme Court.
- (iv) As to whether all codal formalities and guidelines of the Government and CVC for such projects have been followed;
- (v) As to whether the provision of the section-141 and guidelines thereon of the Council have been followed;
- (vi) Number of parties which showed interest in this project, number of parties which were technically found eligible and number of parties which gave their bids;

2. On each of these items, the Deptt. clarified the position as follows:
- (i) The Cinema complex was a part of the Yashwant Place complex, hence the name of the project is Yashwant Place complex and not the Chanakya Cinema Complex, the name for the complex being developed shall be in consultation with NDMC.
  - (ii) Revenue receipts from 1970 to 2000 were approximately Rs. 3 crores and the expected revenue from the redevelopment project in first thirty years would be approximately Rs. 780 crores;
  - (iii) The tendering process is in conformity with the Council's Resolution as well as NDMC's written submissions before the courts;
  - (iv) All codal formalities for such project and guidelines of the CVC have been followed;
  - (v) The proposal is as per the provisions of section -141 of the Act read with council's Resolution of August, 2000 and subsequent Resolution of the Council in respect of this particular project;
  - (vi) A two stage bid process was carried out-
    - Number of bidders who submitted the request for Qualifiction-25
    - Number of bidders selected to offer the bids for the second stage-14
    - Number of bidders who actually offered bids at the second stage-2
3. Since it is a time bound project, Council was requested to permit further processing of the project in anticipating of the confirmation of the minutes of the meeting.

After due deliberations, the Council resolved to approve the proposal of the department contained in preambles of Item No. 20(W-2) and 27(W-3) as well as keeping in view the above clarifications given by the Deptt., subject to certification from Law Deptt. that the process followed is in accordance with Court's directions.

It was further resolved that Deptt. may initiate action in anticipation of the conformation of the minutes by the Council.

**ANEXURE 5 PAGES**









**ANNEXURE END**

**ITEM NO. 28 (C – 10)**

Confirmation and signing of the minutes of the Committee constituted u/s 9 of NDMC Act 1994, for advising the Council for framing Bye-laws / Regulations, held on 09.05.2008 in the Council Room, Palika Kendra, New Delhi. **(See pages 196 - 197)**

**COUNCIL'S DECISION**

Information Noted.

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

**MINUTES OF THE COMMITTEE CONSTITUTED U/S 9 OF NDMC ACT 1994, FOR**  
**ADVISING THE COUNCIL ON FRAMING BYE-LAWS / REGULATIONS, HELD ON**  
**09.05.2008 IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.**

**PRESENT :**

- |    |                     |   |                  |
|----|---------------------|---|------------------|
| 1. | Sh. Parimal Rai     | - | Chairperson      |
| 2. | Smt. Tajdar Babar   | - | Vice Chairperson |
| 3. | Sh. Ashok Ahuja     | - | Member           |
| 4. | Ms. Sima Gulati     | - | Member           |
| 5. | Sh. Mukesh Bhatt    | - | Member           |
| 6. | Sh. Vikram Dev Dutt | - | Secretary, NDMC  |

ITEM NO.	SUBJECT	DECISION
<b>01</b>	Introduction of Unit Area Based System of determination of Annual Rental Value – finalization of byelaws.	<p>Resolved that the Bye-Laws-12, 13, 14 &amp; 14A of House Tax Bye-Laws, 1962 be recommended to the Council for approval with the following suggestions :-</p> <p>(i) The location factor of covered space in basement used for storage, parking, utilities etc. be taken as <b>0.5</b> ;</p> <p>(ii) An explanation may be added to explain the term 'rent' and 'let' to include licence, sub-tenancy, franchise etc. and that rateable value shall be in multiples of <b>one hundred</b> ;</p> <p>(iii) Bye-Law-14(7) should exclude residential properties used by occupier exclusively for residential purposes ;</p> <p>(iv) Under Bye-Law-14A, Valuation Committee be authorized to recommend method of determination of RV of petrol pumps, towers, hoardings and to specify the area of the land to be included in the case of schools, colleges, clubs etc. for Bye-Law-13.</p> <p>(v) where annual value of the building is determinable under more than one clauses of bye-Law-14, the AV shall be the aggregate of the annual value determined under various clauses of this bye-law ;</p> <p>(vi) where rateable value is to be increased for the period after 31<sup>st</sup> of December in a financial year, the said increase shall be effective from the commencement of the next financial year ;</p>

		<p>2. Resolved further that at the time of determining the rates of property tax, in order to give relief to self occupied properties upto a rateable value of Rs.1 lac and self occupied residential properties occupied by senior citizen, women and handicap, a lower rate of tax and/or rebates from the payment of property tax may be considered.</p> <p>3. Resolved further that if Government of NCT of Delhi feels that framing of NDMC {Rateable Value Bye-Laws} would be more appropriate, than substituting Bye-Laws-12, 13, 14 &amp; 14A in place of the existing Bye-Law-12 to 14 of the House Tax Bye-Laws, 1962, the Bye-Laws-12 to 14A, after incorporating the above suggestions, may be framed as NDMC {Rateable Value Bye-Laws}, 2008.</p>
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**COUNCIL'S MEETING NO.04/2008-09 HELD ON 21.5.2008****ITEM NO. 29 (C – 11)****HOMAGE TO LATE SHRI P.N. BAHL, FORMER ADMINISTRATOR, NDMC.**

Shri P.N. Bahl, IAS served NDMC from 04.10.1973 to 22.06.1975 and 25.02.1980 to 27.02.1980 as President and 28.02.1980 to 31.08.1982 as Administrator. Shri Bahl was a person of fine qualities. As Administrator, NDMC he wanted to make New Delhi a beautiful city, While working for the civic body, he kept the welfare of the employees uppermost in his mind.

Shri Bahl was very popular amongst the citizens of NDMC area, its employees, all his colleagues and friends. Shri Bahl left for his heavenly abode on 15.05.2008.

The New Delhi Municipal Council would like to place his services on record with honour and distinction, pay respectful homage to the departed soul and pray that almighty God may bestow strength on the members of the bereaved family and well-wishers to endure this irreparable loss.

It is proposed that two minutes silence be observed in the memory of Late Shri Bahl and a copy of this Resolution be sent to the bereaved family.

**COUNCIL'S DECISION**

Homage was paid to Late Shri P.N. Bahl by the Council by observing two minutes silence.

The meeting was adjourned after condolence.

**(VIKRAM DEV DUTT)**  
**SECRETARY**

**( PARIMAL RAI )**  
**CHAIRPERSON**