

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

**COUNCIL'S MEETING NO. 07/2011-12 DATED 13.09.2011 AT 3-00 P.M.**

**Arrangement of business**

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**ITEM NO. 01 (C-15)**

Confirmation and signing of the minutes of the Council's Meeting No. 06/2011-12 held on 24.08.2011. **(See pages 3 - 4).**

**COUNCIL'S DECISION**

Minutes confirmed.

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

**MINUTES OF THE COUNCIL'S MEETING NO. 06/2011-12 HELD ON 24.08.2011 AT 3-00 P.M. IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.**

<b>MEETING NO.</b>	<b>:</b>	<b>06/2011-12</b>
<b>DATE</b>	<b>:</b>	<b>24.08.2011</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>Ms. Archna Arora</b> | <b>-</b> | <b>Chairperson</b> |
| 2.        | Smt. Tajdar Babar       | -        | Vice Chairperson   |
| 3.        | Sh. Karan Singh Tanwar  | -        | Member             |
| 4.        | Sh. Ashok Ahuja         | -        | Member             |
| 5.        | Sh. Dharmendra          | -        | Member             |
| 6.        | Sh. Santosh D. Vaidya   | -        | Secretary          |

<b>ITEM NO.</b>	<b>SUBJECT</b>	<b>DECISION</b>
01 (C-11)	Confirmation and signing of the minutes of the Council's Meeting No. 04/2011-12 held on 29.06.2011.	Minutes confirmed.
02 (N-01)	Annual Estimate for the work "Maintenance of Parks & Gardens" for the year 2011-12	Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.400.00 Lakhs for the work of Maintenance of Parks & Gardens in NDMC area during 2011-12.  It was also resolved that further action may be taken by the Department in anticipation of confirmation of the minutes by the Council.
03 (D-01)	Re-appropriation of Funds in Budget Estimates 2011-12.	Resolved by the Council, by majority, that the Re-appropriations in Budget Estimates 2011-12 authorized during 1 <sup>st</sup> Quarter of 2011-12 (01.04.2011 to 30.06.2011) as detailed in Annexure-I of the preamble are approved in terms of Regulation 8 of the NDMC (Budget Estimates) Regulations, 2010.
04 (A-11)	Construction of 440 type-IV (Spl.) Flats at Sec.-14, Dwarka Phase-II, New Delhi.	Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.282,24,65,000/- for Construction of 440 Flats at Sec.14, Dwarka, Phase-II with the condition that, out of these 440 flats, 352 flats would be earmarked for allotment in Type III category and the remaining 88 flats would be earmarked for allotment in Type IV (Special) category.
05 (A-12)	Construction of Porta Cabin and providing & fixing Gym	Deferred.

	Equipments in NDMC Colonies.	
06 (A-13)	Construction of additional block in Palika Maternity Hospital and addition/alteration of the existing building at Lodhi Colony.	Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.9,90,79,000/- for construction of additional block in Palika Maternity Hospital and addition/alteration of the existing building at Lodhi Colony.  It was also resolved that further action may be taken by the Department in anticipation of confirmation of the minutes by the Council.
07 (C-12)	Confirmation and signing of the minutes of the Council's Special Meeting No. 05/2011-12 held on 08.08.2011.	The minutes were confirmed with the following amendment in 1 <sup>st</sup> para of the minutes :- "In the presence of the above Members of the Council, Smt. Tajdar Babar, Vice Chairperson, administered the oath of office to Ms. Archana Arora, IAS, (AGMU :83), as the new Chairperson of the New Delhi Municipal Council, in terms of Notification No.S.O.1628 (E) dated 14.07.2011, issued by the Govt. of India, M/o Home Affairs."
08 (T-01)	Procurement of Winter Livery Items for the biennial 2011-2012.	Resolved by the Council that the department should invite open tenders based on DoPT approved rates / DGS&D rates / other applicable Govt. rates for procurement of Winter Livery for the biennial 2011-12.
09 (B-10)	Status Report of on-going work undertaken in revamping electrical system	Information noted.
10 (C-13)	Contracts/Schemes involving an expenditure of Rs.1 Lac but not exceeding Rs.100 lacs.	Information noted.
11 (C-14)	Action Taken Report on the status of ongoing schemes/works approved by the Council.	Information noted.
12 (L-01)	Alternate shops in lieu of units demolished by the Ministry of Defence at Jodhpur Mess under rehabilitation scheme.	Resolved by the Council that the request of Sh. Kuljeet Singh Basra, regarding allotment of alternate shop in lieu of units demolished by the Ministry of Defence at Jodhpur Mess cannot be agreed to.

Some issues regarding supply of electricity, water, removal / lifting of garbage & malba and protocol in official functions of NDMC were raised with the permission of the Chair and the concerned departments were asked to take note of the suggestions for guidance and necessary action.

**Sd/-**  
**(SANTOSH D. VAIDYA)**  
**SECRETARY**

**Sd/-**  
**(ARCHNA ARORA)**  
**CHAIRPERSON**

**ITEM NO. 02 (A-14)**

- 1. Name of Subject/Project:** Construction of Porta Cabin and providing & fixing Gym Equipments in NDMC Colonies.
- 2. Name of Department:**  
Civil Engineering Department. Zone-II
- 3. Brief History of the subject/Project:**

To uplift the community facilities for NDMC employees, it was desired to provide an additional facility to the NDMC's residents, residing in NDMC colony by providing gym equipments in porta cabin by developing colony level gym in the NDMC residential complexes. For this purpose, earlier the colonies having more than 35 houses and not falling in the LBZ Area had been considered. In this connection, as directed, a survey was conducted for entire NDMC colonies to assess the situation to select the eligible colonies for developing colony level gym. After the survey, 15 colonies were found eligible for this facility. A meeting was convened by Secretary, NDMC in the Council room on 9.6.2011 with the representatives of Residents Welfare Associations of various eligible NDMC Complexes and various issues regarding maintenance, watch and ward and welfare of the gym were deliberated explored. During the discussion, it was clearly spelt out that the operation and supervision of the proposed gymnasium will have to be undertaken by respective RWAs for which uniform additional fee can be taken from the local families and additional membership fee can be taken by the RWAs from regular users of the gymnasium. All RWAs welcomed the proposal and consented to undertake supervision-cum-operation and requested that NDMC may also consider provision of Security guard-cum-Trainer for the new facility for which suitable deduction can be made from the concerned employees. The minutes of the meeting was enclosed at **Annexure 'A' (See pages 8 – 12 )** for ready reference. Representative of one Association i.e. from Rohini Complex had refused for this facility. Subsequently, 14 colonies were decided to have this facility for which consent letters from the RWAs were also received (**Annexure 'B' See pages 13 - 16**). List of such colonies exists at **Annexure 'C' (See page 17)**.

The proposal was placed before the Council during its meeting on 24.08.2011 vide Item No.05 (A-12) dated 24.08.2011 and the same was deferred. During discussion in the Council, it was desired that comments of the few members of the Council may be sought. The opinions of the members were sought and few more colonies as listed below to develop the gym in Porta Cabin were suggested:-

1. Aurangzeb Road
2. Type-I Qtrs.,Bapu Dham Complex.
3. Type-I 40 Flats at Pandara Park
4. Kaka Nagar complex.
5. D.P. Sadan Hailey Lane
6. Prithvi Raj Road Quarters
7. Golf Link Complex
8. Vetrinity Hospital Qtrs., Begam Zaidi and Basurkar Market Flats, Moti Bagh

These cases were forwarded to Chief Architect Deptt. NDMC, for comments. Chief Architect Deptt. commented that some of the sites fall under the LBZ Area or under ASI. In such seven (Sr. Nos. 1 to 7 above) cases, necessary clearances will be sought from the concerned authorities before seeking administrative approval and expenditure sanction. Arrangements for operation of gymnasium will be worked out in consultation with Welfare Deptt and Project Deptt.. Work accordingly is proposed to be taken up in 2 phases based on the clearances.

#### **4. Detailed proposal of the Subject/Project:**

The temporary structure of Porta Cabin of size 18'x25' was proposed to be provided and in every location of Gym, Four Stations Multi Gym, Treadmill, Elliptical Cross Trainer, Recumbent Bike, Upright Bike and Weight Lifting Benches with Rods of length 5' and 4' long with Plates, Dumbles were taken in the proposal at 14 places/locations (deleting the provision of Gym at Rohini Housing Complex). Further, the life of Gym equipments/Porta Cabin depends upon the maintenance, type of use and frequency of uses etc.. However, prescribed life was not readily available and Porta Cabin/Gym Equipments can last longer if it is correctly put to use and periodically maintained. A uniform protocols and guidelines to regulate the discipline and uses like payments of electricity/water charges, user fee charges, maintenance and operation, security and guard-cum-trainer including suitable deductions from the employee salary etc. As suggested by the members, consultation was done. Opinion of C.A. Deptt. was sought on the new cases and Chief Architect Deptt. has commented that some of the sites (Sr. No. 1 to 7) fall under the LBZ Area or under ASI. Regarding Sr. No.8, location will be finalized before the finalization of the tender. An estimate amounting to Rs. 2,05,35,100/- for 14 Nos. Porta Cabin was prepared and placed before the Council in the meeting on 24.08.2011. However, the expenditure involved in the additional construction of Porta Cabin for Sr. No.8 above is proposed to be covered within the proposed estimate of 14 locations and its tolerance amount. The construction work is accordingly, proposed to be taken up in 2 phases based on the clearances.

A copy of DPR for the proposed work is also enclosed at **Annexure 'D' (See pages 18 – 19)** for reference please.

Construction of Porta Cabin and provision and fixing of Gym equipments being of different nature and specialized one are proposed to be undertaken separately within the sanctioned amount.

Work in respect of Sr. Nos.1 to 7 will be taken up after obtaining necessary clearances from concerned authorities in Phase-II for which a separate Estimate will be placed before the competent authorities.

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

The preliminary estimate amounting to Rs. 2,05,35,100/- prepared on the basis of DSR-2007 with up to date cost index and market rate duly checked by the Planning has been concurred by the Finance.

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

Time for completion of the Project is 6 months after the award of the work.

#### **7. Comments of the Finance Department at the Subject (with Diary No.1379/FinanceP-Civil dated 18.07.2011)**

Finance Deptt has already concurred the proposal vide Diary No.1379/Finance P-Civil dated 18.07.2011.

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

The Finance Deptt. has seen the reply of department and has no further comments to offer.

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

NIL

**10. Details of previous Council Resolution/Existing law of Parliament and Assembly on the Subject:**

The Preliminary Estimate amounting to Rs.2,05,35,100/- for the construction of Porta Cabin and providing and fixing Gym equipments in NDMC colonies, was placed before the Council for concurrence and the same was deferred vide Item No.05 (A-12) dated 24.08.2011.

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

NIL

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

NIL

**13. Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed, while processing the case:**

Certified that necessary guidelines of CVC have been followed while processing the case.

**14. Recommendation:**

The case is placed before the Council again for consideration and accord of A/A & E/S of the preliminary estimate amounting to Rs.2,05,35,100/- for Construction of Porta Cabin and providing & fixing Gym equipments in NDMC Colonies.

**15. Draft Resolution**

Resolved by the Council that A/A and E/S of the preliminary estimate amounting to Rs.2,05,35,100/- for construction of Porta Cabin and providing and fixing Gym equipments in eligible NDMC colonies based on the proposal in paragraph 4 is accorded. Further, resolved by the Council that subsequent action be taken in anticipation of confirmation of the minutes of the council.

**COUNCIL'S DECISION**

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.2,05,35,100/- for construction of Porta Cabin and providing and fixing of Gym equipments in eligible NDMC colonies, as per details in para 4 of the agenda.

It was also resolved that further action may be taken by the Department in anticipation of confirmation of the minutes by the Council.

Annexure 12 pages

























Annexure ends

**ITEM NO. 03 (B-11)**

**1. Name of the work:** Installation of 2 x 990 KVA Unitized Substation at XY Block, Sarojini Nagar.

**2. Name of the Department:** Electricity

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

A meeting was held in the chamber of C.E.(E-II) on dated 21/06/2010 in the presence of S.E.(E-II) , EE(D/S) and EE(P-11KV). It has been proposed to install 2 x 990 KVA Unitized Sub Station for Palika Gram NDMC flats XY Block, Y Block, YZ and Z Block at Sarojini Nagar area, as load demand has increased in these areas. The estimate was sent to Advisor (Electric) who suggested some amendments in the estimates and the same have been incorporated to improve reliability and feasibility.

**4. Detailed Proposal on the project:-**

- i) Existing HT Cable 1 x 400 Sqmm /3C between Sub Station Trauma Centre and Sub Station Nursing Hostel is proposed to LILO at Sub Station Safdarjung Staff Qtrs. No. 2.
- ii) An additional HT cable of 1X400 Sqmm/3C between Sub Station Trauma Centre and Sub Station Safdarjung Staff Quarter No.02 shall be proposed and shall be connected in the same HT panel where existing HT cable 1X400Sqmm/3C between Trauma Centre to Nursing Hostel is proposed to LILO at Sub Station Safdarjung Staff Qtr. No. 02.
- iii) Interconnector between Sub Stations Safdarjung Staff Qtr. No. 01 to Sub Station Safdarjung Staff Qtr. No. 02 is proposed to be augmented from proposed 1 X400Sqmm/3C to 2X400Sqmm/3C and existing interconnector of 1X150Sqmm/3C between two Sub Stations may be utilized for setting up a Unitized Sub Station in this area to meet the future growth of load instead of dismantling the cable as proposed by Advisor(Electric). Separate estimate shall be prepared for unitized Sub Station.
- iv) The proposed 1x 400 Sqmm /3c HT Cable from Sub Station Safdarjung Staff Qtrs. No. 2 to Unitized Sub Station to be installed at Palika Gram NDMC Flats XY Block. This HT feed shall be extended to second Unitized Sub Station 1 x 990 KVA to be installed at YZ Block. This HT feed 1 x 400 Sqmm/3C from second Unitized Sub Station shall be further extended to proposed Sub Station Cross Road No. 2. The positions of two no. Unitized Sub Stations shall be decided with the consent of EE (M/S) and EE (D/S).
- v) Two No. HT panels 400Amp VCB type, O/G and one No. I/c HT panel VCB, 400Amp. shall be installed at Sub Station Safdarjung Staff Qtrs, No. 2.
- vi) 1 No. HT Panel VCB type, O/G shall be installed at Sub Station Cross Road No. 2 for Unitized Sub-station at YZ Block .
- vii) 4 No. G. S. pillars Big size shall be installed in the adjoining areas of XY and YZ blocks having their locations with the consent of EE (D/S) and EE (M/S).

**5. Financial Implications:**

Estimate is anticipated to have financial implication of Rs. 1,82,99,000/-

**6. Implementation schedule :** Eight months

7. **Comments of the Finance Department on the subject:** Finance Department vide Dy. No. 996/Finance/ R-Elect dt. 14.06.11 have concurred in the estimate with no further comments.
8. **Comments of the Department on the comments of the Finance Department:**  
NIL.
9. **Legal Implication of the project:** No legal implication is involved.
10. **Details of previous Council Resolution :** NIL, new case.
11. **Comments of Law Department:** It has no legal issue.
12. **Comments of the Department on the comments of Law Department :** Nil
13. **Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed:** It is certified that all Central Vigilance Commission (CVC), guidelines have been followed in processing the case.
14. **Recommendation:** The estimate amounting to Rs. 1,82,99,000/- for installation of 2X990 KVA Unitized Sub Stations at XY- Block, Sarojini Nagar may be placed before the council to accord Administrative Approval and Expenditure Sanction. Approval may also be accorded to take further action in anticipation to confirmation of the minutes of Council Meeting.
15. **Draft Resolution:** Resolved by the council that Administrative Approval and Expenditure Sanction is granted to the estimate amounting to Rs. 1,82,99,000/- for installation of 2X990 KVA Unitized Sub Stations at XY-Block, Sarojini Nagar. Approval is also accorded to take further action in anticipation of confirmation of the Minutes of the Council Meeting.

### **COUNCIL'S DECISION**

Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.1,82,99,000/- for installation of 2X990 KVA Unitized Sub Stations at XY-Block, Sarojini Nagar.

It was also resolved that further action may be taken by the Department in anticipation of confirmation of the minutes by the Council.

**ITEM NO. 04 (B-12)**

1. **Name of Work:** **Write-off of the loss of Rs 1.75 lacs on account of pilferage of lift component at Yashwant Place, Chanakyapuri.**

2. **Department:** **Electricity Department.**

3. **Brief History of Proposal:**

Theft of lift component was observed on 07.01.08 from the lift installed at Yashwant Place. Inquiry revealed that an important part of lift called VFCU was missing which cost Rs 1.75 lacs as informed by the annual maintenance firm M/s OTIS Elevator Company (I) Ltd. After lodging FIR (no.222/08) with Police Station Chanakyapuri on the same day on 07.01.08, report was submitted to CE(E) & Chairman, NDMC. Thereafter under the approval of Chairman, NDMC dated 23.01.08, order for missing component of lift was placed on AMC firm M/s OTIS at a cost of Rs 1.75 lacs and the component was accordingly got provided and the lift become functional.

Departmental inquiry in the matter was also conducted. Findings of said inquiry revealed that there was no involvement of NDMC staff in the said theft of lift component and it was suspected an act of miscreants / unknown persons.

Against the FIR lodged with the Police by the NDMC, untraceable report of said lift component was then received from the Court of Metropolitan Magistrate Sh Pritam Singh, Patiala House Court on 11.02.10.

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

There is proposal to write-off of the loss of Rs 1.75 lacs on account of pilferage of lift component at Yashwant Place, Chanakyapuri, New Delhi.

The case was then sent to Vigilance Department for their examination and clearance before the loss of Rs 1.75 lacs is got written off from the Council after concurrence of Finance.

The Vigilance Department vide observation dated 25.04.11 on page 12/N has advised to take further necessary action in the matter.

5. **Financial implications:** Rs 1.75 lacs.

6. **Implementation Schedule:** Not applicable.

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

The Finance vide Dy no. 1093/Finance/R-Elect dated 20.06.11 has observed that the Finance has already seen the case. The department may process the case further accordingly.

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

9. **Legal Implication of the subject:** NIL

10. **Details of Previous Council Resolution:** NIL
11. **Comments of Law Department:** No legal implication is involved in this agenda item. This has concurrence of the Law Department.
12. **Comments of the Department on the comments of Law Department:** NIL
13. **Certification by the Department:** It is certified that while processing the case, all CVC guidelines & codal formalities have been followed.
14. **Recommendations of the Department:** The case may be placed before Council for Write-off of the loss of Rs 1.75 lacs on account of pilferage of lift component at Yashwant Place, Chanakyapuri, New Delhi.
15. **Draft Resolution:** Resolved by the Council that the loss of Rs 1.75 lacs on account of pilferage of lift component at Yashwant Place, Chanakyapuri, New Delhi has been written off.

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

Resolved by the Council to accord approval of the loss of Rs 1.75 lacs on account of pilferage of lift component at Yashwant Place, Chanakyapuri, New Delhi.

The Council also directed that in future the concerned departments should take appropriate preventive steps and ensure adequate safety and security of the Council's property in order to avoid such happenings.

**ITEM NO. 05 (N-02)****1. NAME OF THE SUBJECT / PROJECT**

Annual Estimate for the work "Maintenance of Colony Parks for the year 2011-12".

**2. NAME OF THE DEPARTMENT / DEPARTMENTS CONCERNED.**

**Horticulture Department, NDMC**

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

The CPWD Colony Parks were transferred to NDMC w.e.f. 01.04.2007 on 'as is where is' basis and the Horticulture Department started basic maintenance works to ensure that public residing in these colonies is not inconvenienced. Total 981 parks or 35 colonies including lawns of Shanti Path having the approximate area of 254 Acres excluding open green area of the colonies.(list Annexed at 1) Accordingly a proposal was placed before the Council for granting funds for maintenance of these colony parks which the Council approved providing of funds and approval of management plan in its meeting 14.11.2007 vide item No. 16 (N-3). The Council suggested that maintenance works be continued . It has become a continuous process since then.

**4. DETAILED PROPOSAL ON THE PROJECT / SUBJECT**

A Preliminary Estimate has been prepared by the department for meeting the annual maintenance requirements of CPWD Colony parks during 2011-12 for 981 CPWD Colony Parks or 35 Colonies including lawns of Shanti Path having the approximate area of 254 Acres excluding open green area of the colonies. The estimate is prepared for 240 Acres based on CPWD Norms and the past experience of Horticulture Department in the maintenance works. The main provision is for engagement of Casual labour in the proposed expenditure as the Horticulture Department does not have malis for maintaining these CPWD Parks by the NDMC. The estimates contain the provision of payment of electricity, transfer entries for store items, Yamuna sand, good earth , cow dung manure & organic / inorganic, seeds, bulbs, . And special maintenance of Shantipath, North Avenue renovation of lawn, purchase of estimate T&Ps, Equipment and machinery for maintenance of greens, power shakti tiller, the green house and roll call shelters.

**The Estimate is for Rs.2.00 Crores (Rs Two Crores).**

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

Rupees 2.0 Crores (Rupees Two Crores only).

**6. IMPLEMENTATION SCHEDULE WITH TIMELINES FOR EACH STAGE INCLUDING INTERNAL PROCESS.**

Routine maintenance works to be done annually as per requirement.

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

Finance Department has agreed for Rs. 2.00 Crores ( Rupees two Crores only ) vide their **U.O. No.1231 dt. 06-07-11** and has seen the agenda vide U.O. No. 1431 dated 27/07/2011

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

No comments in view of the above.

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

There is no legal implication in this case.



**10. DETAIL OF PREVIOUS CONCIL RESOLUTIONS, EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THE SUBJECT.**

Estimate for the year 2010-11 as sanctioned by the Council vide Reso. NO. 04 (N-02) dated 16-06-2010 and subsequent short notice discussions in a special meeting and were confirmed in the next ordinary meeting of the Council held on 05-08-10 vide Item No.04(N-2).

**11. COMMENT OF THE LAW DEPARTMENT ON THE SUBJECT / PROJECT**

Law Department has concurred in the proposal of the Department.

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

No Comments.

**13. CERTIFICATION BY THE DEPARTMENT THAT ALL CENTRAL VIGILANCE COMMISSION (CVC) GUIDELINES HAVE BEEN FOLLOWED WHILE PROCESSING THE CASE.**

Certified that all CVC guidelines would be followed.

**14. RECOMMENDATIONS**

Recommended for according Administrative Approval and Expenditure Sanction to estimate amounting to Rs. 2.00 Crores ( Rupees two crore only ) for the work Maintenance of CPWD Colony Parks during 2011-12.

**15. DRAFT RESOLUTION**

Resolved by the Council that Administrative approval and expenditure sanction is according to estimate amounting to Rs.2.00 Crores (Rupees two crore only ) for the work of Maintenance of CPWD Colony Parks during 2011-12 Resolved further that action on the item may be taken pending Confirmation of the minutes of the meeting.

**COUNCIL'S DECISION**

Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.2.00 Crores for the work of Maintenance of CPWD Colony Parks during 2011-12.

It was also resolved that further action may be taken by the Department in anticipation of confirmation of the minutes by the Council.

**ITEM NO. 06 (W-01)**

**1. Name of work : Policy Guidelines for Public Private Partnership Projects in New Delhi Municipal Council Area**

**2. Name of the Department : Projects Department**

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

At the national level PPP is being seen as an important tool to bridge the investment and expertise gap in the creation of infrastructure and in accelerating the delivery of public services. The XIth plan document accords high priority to PPP projects both in the central and states' plan initiatives in the endeavour to overcome the yawning infrastructure deficit that face the country.

At the state level some key states of India like Gujrat, Punjab, Karnataka, Rajasthan and Andhra Pradesh have developed legal frameworks for private participation in infrastructure, specifically in areas in the jurisdiction of the state legislature and the State Government.

Local governments often face in efficiencies in providing adequate urban services. These are frequently attributable to inadequate manpower, insufficient financial allocations. Cost overruns, huge infrastructure costs, and the absence of accountability in revenue collections.

Shifting some services and responsibilities to the private sector may help to improve delivery systems, increase efficiency and potentially free up resources for other purposes. As a sustainable model for the delivery of public services, public private partnerships (PPP) can help increase infrastructure investments, expand access to urban services, and achieve more efficient and effective service delivery.

**4. Detailed proposal of the project:**

Based on the state laws and various guidelines, a Public Private Partnership Policy document has been proposed for NDMC placed as **Annexure I (See pages 28 – 37)**. The policy guidelines document is submitted for approval of the Council. Once approved, these policy guidelines would serve as the guiding principles for all future PPP projects in NDMC area.

The Scheme and Guidelines for India Infrastructure Project Development Fund, issued by the Department of Economic Affairs, Ministry of Finance, Govt. of India vide Letter No. 7/2/2007-PPP dated 5.12.2007 **placed as Annexure II (See pages 38 - 68)** and the Guidelines for Financial Support to Public Private Partnerships in Infrastructure, issued by the Ministry of Finance, Govt. of India vide Letter No. 1/4/2005-PPP dated 23.01.2006 are **enclosed as Annexure III (See pages 69 - 99)** for ready reference.

**5. Financial Implication**

1. Will be project specific.
2. Budgetary allocation for staff/establishment of Project Department.

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

As per prevailing Acts/rules of Council/concerned authority.

- 7. Comments of the Finance Deptt. on the subject:**  
Finance has seen the draft policy guidelines and has no comments.
- 8. Comments of the Deptt. on comments of Finance Deptt.:**  
Nil
- 9. Legal Implication of the subject:**  
Nil
- 10. Details of the previous Council's resolution, existing laws of Parliament and Assembly on this subject.**  
Not available
- 11. Comments of Law Deptt. :**  
The Law Deptt. has commented as
1. It is a welcome proposal to generate revenues/create assets by participation from private parties. With main aim of reducing burden on municipal finances, to provide better services and better management to Councils assets without increasing NDMC – manpower.
  2. These are policy guidelines and have to be within the frame work of NDMC Act and other rules & regulations and do not violate any provision of NDMC Act.
- 12. Comments of the department on the comments of Law deptt.:**  
The advice of Law Department will be followed.
- 13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case:**  
- Not applicable -
- 14. Recommendations:**  
The case is placed before the Council for:
- (a) Consideration & approval of Policy guidelines for Public Private Partnership in New Delhi Municipal Council (**Annexure-I**) **See pages 28 - 37.**

### **COUNCIL'S DECISION**

Resolved by the Council, by majority, to accord approval of the Policy guidelines for Public Private Partnership in New Delhi Municipal Council.

The Council also directed to include 'heritage structures' in the 'priority sectors' under the policy.



**DRAFT POLICY GUIDELINES  
FOR  
PUBLIC PRIVATE PARTNERSHIP PROJECTS  
IN  
NEW DELHI MUNICIPAL COUNCIL**

**PROJECT DEPARTMENT  
NDMC**

## **1 INTRODUCTION**

The Welfare State has an expanded role to play as it ensures provision of public goods (like road, power and water supply) and merit goods (like Health and Education) having positive externalities. Public Private Partnership is an approach under which services are delivered by the private sector while the responsibility for providing services rests with the government.

Public-Private-Partnership (PPP) provides an opportunity for private sector participation in financing, designing, construction and operation and maintenance of public sector programmes and projects. The time has come to forge a greater interface between the public and the private sector in a wide range of activities in the country.

The PPP approach is best suited for the infrastructure sector as it supplements scarce public resources, creates a more competitive environment and helps to improve efficiencies and reduce costs. To achieve this goal, NDMC has come out with this Public Private Partnership Policy.

## **2 THE POLICY OBJECTIVES**

The key objective this policy are to:

- i. Identify priority sectors for Public Private Participation in NDMC so as to utilize the efficiencies, innovativeness and flexibility of the private sector to provide better infrastructure and service at an optimal cost.
- ii. To prepare a shelf of projects to be offered for PPP and take them forward with assistance of the owner departments through a transparent selection process
- iii. Putting in place an effective and efficient institutional mechanism to take up the project development activities viz. project identification, preparation of DPRs, project structuring and bid process management
- iv. Provide necessary risk sharing framework in the project structure so as to assign risks to the entity most suited to manage them.
- v. Create a robust dispute redress mechanism/regulatory framework for PPP projects.
- vi. To provide a mechanism for NDMC contribution for projects those are intrinsically unviable.
- vii. To put in place an effective and efficient institutional mechanism for project implementation and monitoring

## **3 IDENTIFICATION OF PROJECTS FOR PPP & PRIORITY SECTORS**

PPP arrangements should not be entered into merely for the sake of undertaking a PPP project. A detailed review of the costs and benefits of private sector involvement versus public alternatives must be undertaken to ensure that a PPP enhances the public benefit. The degree of private involvement needs to be carefully matched to the objectives and needs of the

project and public.

There is no one method for deciding which type of PPP approach will best serve the needs of a project as this depends on the project characteristics and public perception of the need for PPP. Each PPP structure has strengths and weaknesses, which must be recognized and integrated and applied only where suitable and when clear benefits and advantages can be demonstrated.

Studies indicate that PPPs approach has been more successful in some sectors and less successful in others. As the PPP approach is based on meeting the output specifications, a common success factor has been projects where the performance parameters are relatively simple and are amenable to a high degree of standardization. Other factors which determine the suitability of a Project for the PPP approach are :

- ⇒ Clearly measurable output specifications
- ⇒ Identifiable and stable revenue streams
- ⇒ Affordability - from govt viewpoint
- ⇒ Viability - from pvt sector viewpoint
- ⇒ Possibility of combining several activities in case one activity is unviable.
- ⇒ Political acceptance

Globally, several areas are already proven to be amenable to PPPs, these are primarily areas where the underlying asset is considered "essential infrastructure" but there have been problems in capacity up gradation, maintenance and management (eg roads, ports). PPP route helps in retaining ownership and at the same time gain from pvt sector skills.

Based on the success of PPP areas, the following sectors are being identified as priority sectors under this policy, which may be modified from time to time:

- (a) Roads, Street furniture, underpasses, over bridges
- (b) Building development and maintenance
- (c) Street lighting
- (d) Water supply, Treatment and Distribution
- (e) Solid waste Management
- (f) Sewerage & Drainage
- (g) Sports, recreation, entertainment and related infrastructure/ services
- (h) Healthcare Facilities

- (i) Education
- (j) Urban infrastructure including entertainment and recreational facilities
- (k) Urban Transportation Systems / Improvement of Public Facilities including construction of state of art bus-stands.
- (l) Operation and maintenance of infrastructure assets including markets, office complexes & commercial assets.
- (m) Development of IT infrastructure and delivery of IT services in schools.
- (n) Parking infrastructure and management.
- (o) Promotion of art culture & music.
- (p) Any other sector/facility as may be included by the Council/mandated by the NDMC Act.

#### **4 INSTITUTIONAL ARRANGEMENT**

NDMC recognizes the requirement for an effective and efficient institutional mechanism for project identification, development and implementation and therefore constitutes the following structure for furthering the objectives of the Policy.

##### **4.1 PPP Coordination Committee (PPPCC)**

An PPPCC comprising of the Secretary, Financial Advisor, Legal Advisor, Director (Projects) and the concerned HOD for facilitating project development shall be constituted. Director (Projects) shall be the member-convenor of PPPCC.

##### **4.2 Powers and Functions of the PPPCC**

The Powers and Functions of the PPPCC would include:

- a) To coordinate approvals of projects that require inputs/approval of various departments
- b) To prioritize, approve shelf of projects
- c) To consider in-principle approval of PPP projects recommended
- d) To recommend projects for the VGF or IIPDF or JNNURM schemes of the GoI.
- (e) To approve scale and scope of a suo moto proposal or project under swiss challenge approach (Swiss Challenge System is a new bidding process to help private sector initiative in core sector projects. It's an offer made by the original proponent to the government ensuring his process to be best (in terms of effectiveness including both the factors cost and time) by his initiative as a result of his own innovative approach or on the demand of the government to perform certain task. The Swiss challenge system, like the bonus system, further allows third parties to make better offers (challenges) for

a project during a designated period with simple objective to discourage frivolous project, or to avoid exaggerated project development costs. Then accordingly, the original proponent gets the right to counter-match any superior offers given by the third party).

- (f) Wherever the approval of the council or any other authority is required the same shall be taken.

#### **4.3 Projects Department (PPP Cell)**

The PPPCC shall be assisted by a Projects Department which will work as a PPP Cell within NDMC in undertaking the functions specified under this policy & shall be under the direct supervision of Secretary.

The PPP Cell shall be headed by a Director who would be assisted by:

- a) A municipal finance expert having requisite knowledge for preliminary financial analysis of PPP projects
- b) A municipal legal expert
- c) Urban planning expert
- d) Supporting secretarial staff

#### **4.4 Functions of the PPP Cell**

The Functions of the PPP Cell and its Technical Secretariat would include:

#### **IN RELATION TO PROJECT DEVELOPMENT**

- a) To identify, conceptualize and create a shelf of projects in consultation with the owner department/agency and recommend approval of such projects for PPP from time to time to the PPPCC
- b) To assist different departments in preparing pre-feasibility reports by itself or through consultants.
- c) To assist the respective departments for preparing Detailed Project Reports
- d) To appoint/select consultants to undertake project development activities till the stage of identification of a suitable private participant in consultation with the concerned department through a suitable procurement process preferably through open competitive bidding.
- e) To interact with the Planning Commission, Government of India (Gol) and other funding agencies like World Bank for obtaining approval under VGF (Viability Gap Funding), IIPDF (India Infrastructure Project Development Fund) and any other fund



created for such purpose. The guidelines for the above scheme are enclosed for reference.

- (f) Monitoring and reviewing progress of PPP projects.

#### **IN RELATION TO INSTITUTIONAL STRENGTHENING**

- (a) To act as the nodal agency for capacity building for PPP in NDMC. To further this function it shall conduct/recommend exposure visits and training programs on PPP.
- (b) To adopt, adapt and develop Model Agreements (MA) for various types of projects.
- (c) To recommend special legislation for formation of appropriate business model/legal framework/regulatory mechanism and robust grievance redressal mechanism as may be required for the project.
- (d) To recommend requirements of funds for development of projects, gap funding and for any other requirement for furthering the objectives of this Policy.
- (e) To develop internal evaluation guidelines in consultation with the respective departments/agencies to evaluate and assess the projects
- (f) To coordinate with other departments for the furtherance of the objectives of this Policy

#### **4.5 Nodal officers**

A nodal officer shall be identified in each line departments to co-ordinate with the PPP Cell and to take forward the PPP initiatives. A nodal officer shall also be identified in the Finance and Law department to examine the PPP proposals. This will ensure speedier clearances of the proposals from law and finance point of view.

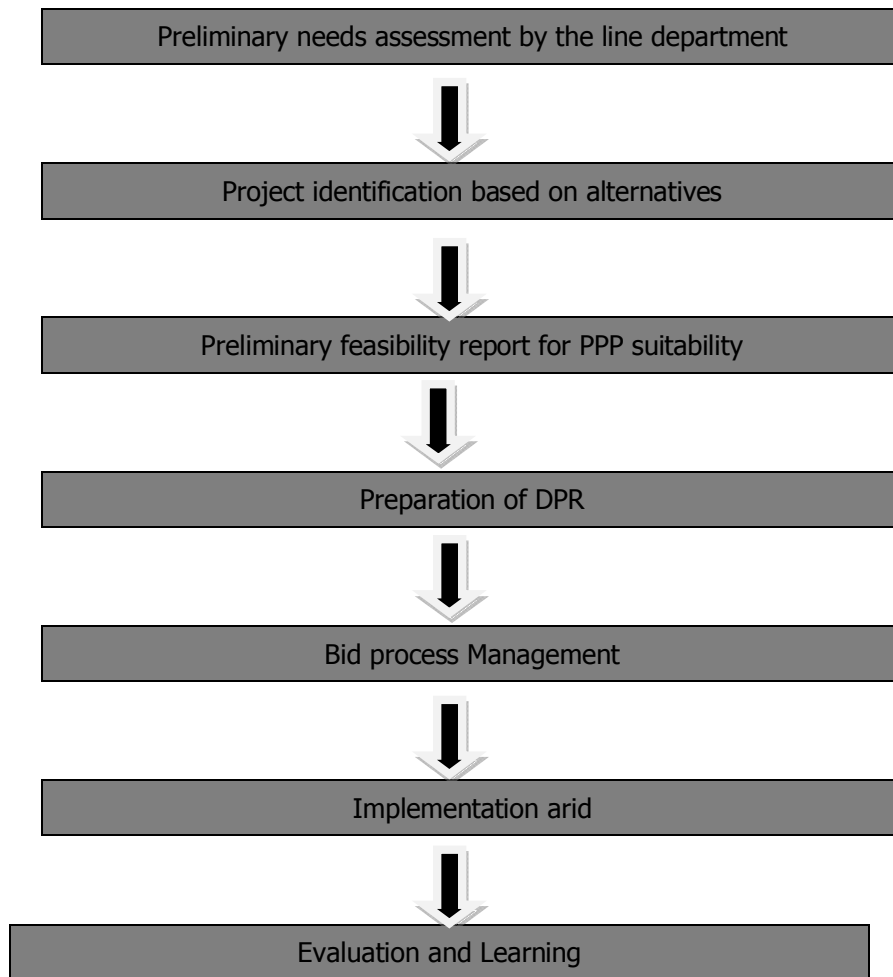
#### **4.6 Role of Nodal officers in line departments**

- i) Nodal officer shall be associated at all stages of project development such as project identification, project structuring, bid process etc.
- ii) Nodal officer shall be responsible for interacting with the PPP Cell and facilitating the activities of the PPP cell by providing timely information and
  - ⇒ assistance in gathering field information
  - ⇒ assistance in identifying the requirements of the line departments
- iii) Nodal officer shall be responsible for executing the contract with the private participant at the end of the selection process
- iv) Nodal officer shall be responsible for taking over the project along with the documentation after the selection process is over
- v) Nodal officer shall be responsible for monitoring the project at the implementation

stage and periodic reporting to the PPP Cell.

## 5 PROJECT IDENTIFICATION STRUCTURING AND APPROVAL PROCESS

In order to have a vision for development, NDMC has created a City Development Plan outlining the projects that need to be taken up in the near and distant future. The projects outlined in the CDP shall form the initial shelf of projects for possible development under the PPP mode. For future development, the Head of each Department is expected to identify activities that can be bunched together to make a viable Project.



### 5.1 Preliminary Needs Assessment

An exercise to identify gaps in service standards and infrastructure requirements shall be carried out by the Head of each line department every year between April to June. Based on the preliminary requirements indicated by the line department the PPP Cell shall in consultation with Line Departments and consultants (if required) identify alternatives, conceptualize projects to be developed through PPP Cell. The PPPCC shall prioritize projects based on demand and supply gaps, interlinkages and any other relevant parameters and create a project shelf.

### **5.3 Preparation of Preliminary Feasibility Report**

Based on the technical inputs required for a particular project, the PPP Cell or alternatively the Line departments will prepare the Preliminary Feasibility Report for the identified projects. The preliminary feasibility report should establish the need for the project, broad level project cost estimation and indicative commercial viability of the proposed project including preliminary engineering studies if any.

### **5.4 Project Structuring**

The project structure interalia comprises the following activities/components: -

- ⇒ risk sharing
- ⇒ identification of revenue streams and sharing thereof
- ⇒ no of years of operation
- ⇒ mode of selection etc.
- ⇒ technology options
- ⇒ implementation schedule

The project structure should aim at proper allocation of risks between the private sector and the Public. Commercial Risk is better borne by the private sector partner while regulatory risk is better borne by govt. agencies. The project structure should target optimal, rather than maximum, assignment of risk to the private sector.

Experience shows that substantial number of PPP contracts suffer from inaccurate assessment of traffic and consequent revenue streams. As such it is important to have a realistic assessment of the revenue streams for any project under PPP.

Invariably, choice of technology should be left to the private sector, unless, the technology choice is predetermined due to standardization or due to constraints of existing technologies.

Implementation schedules have to be set realistically and should not be over optimistic to satisfy the expectations of the stakeholders. This often leads to disputes with the private sector developer at the project implementation stage.

### **5.5 Approval of Projects for development under PPP Mode.**

On receipt of the preliminary feasibility report from the Line department by the PPPCC through PPP Cell, the PPPCC shall review the proposal based on its merit, grant its in-principle approval or suggest modifications/changes to the proposal. The final sanction of the project shall vest with the Chairperson/Council as the case may be

## **6. PREPARATION OF DPR AND SELECTION OF PRIVATE PARTICIPANT**

### **6.1 Preparation of DPR and Selection of Developers.**

On obtaining approval of PPPCC the respective line department shall prepare/get prepared the Detailed Project Reports (DPR) if required or if the DPR is to be prepared by the project developer, launch the competitive bidding process for selection of developers. The PPP Cell shall assist line departments in selection of the Project developer and the entire selection and bidding process including preparation of the various contractual, concession and bid documents. The bid process shall be fully transparent and conforming to best practices in the Industry.

### **6.2 Approval of Developer**

The outcome of the bidding process along with required concessions to be granted will be placed before PPPCC for final approval before award of the project to the developer.

In cases where VGF assistance is sought from GoI the proposal to PPPCC will be put up after receipt of final sanction of VGF assistance from GoI.

## **7 PROJECT IMPLEMENTATION, MONITORING & DISPUTE REDRESSAL**

The line department shall be responsible for implementation and monitoring of the project. The Line department shall furnish periodic reports to the PPPCC through the PPP Cell.

Experience shows that most disputes relate to practical issues encountered during implementation and lack of responsiveness from the line department. PPP projects being complex, it is felt that the implementation should be directly overseen by the Heads of the Department as the HoD is in a position to coordinate decision making within his department as also in consultation with other departments.

## **8 EVALUATION & IMPACT ASSESSMENT**

PPPCC will monitor the implementation of the project through reports provided by the line departments. All the Departments carrying out PPP projects will keep informed the PPP Cell regarding the latest developments.

PPPCC will make an impact assessment of the project at a suitable time after implementation vis-a vis the needs assessment made initially. The PPPCC shall be supported by the PPP Cell in this regard.

The success and failures on various aspects shall be documented by the PPP Cell for incorporation in subsequent projects.

## **9 STRENGTHENING OF THE INSTITUTIONAL FRAMEWORK**

The rights of the users, developers, the local community, employees and lenders, together referred to as stakeholders shall be protected. The various mechanism considered include:

- a. Adequate administrative support for successful and timely implementation and operation of the project while safeguarding the interest of citizens.
- b. Adequate administrative support for levy and collection of user charges wherever required.
- c. Structuring of concession agreements incorporating service standards, revenue streams and levy of equitable user charges also providing for exempt category of users wherever applicable.
- e. Setting up of robust dispute redressal mechanisms.

## **10 UPDATION & MODIFICATION**

These guidelines are to be seen as a living document and would need to be continuously updated and revised based on the experience in future.

Annexure 62 pages









































































































































Annexure ends

**ITEM NO. 07 (L-02)****1. Name of the Subject:**

Renewal of Licence Agreement with DTTDC for Dilli Haat, INA.

**2. Name of the Department:**

Estate-I Department

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

A piece of land measuring 300 mtr. length and 100 mtr. width (6 acres approx.) was made available with NDMC after covering of Kushak Nalah at Sri Aurobindo Marg, New Delhi. On the request of DTTDC, NDMC allotted the land for construction and running of a Food and Crafts Bazar as a tourist oriented venture on the pattern of the one in Singapore.

As per licence agreement duly executed between NDMC and DTTDC on 28.3.1992, DTTDC were to construct shops, stalls etc at the licensed premises on their own and also to look after supervision etc. of the constructed stalls/kiosks duly constructed as per approved plans provided by the licensee. The licence for use of the space was for the period from 15.6.1992 to 14.6.1997 and to be renewed at the discretion of the licensor NDMC on terms and conditions to be settled mutually between the parties.

As per terms of the licence the licensee was to pay to the licensor a sum of Rs.1 lac per annum as minimum guaranteed licence fee wef 15.6.1992 plus 50% of the net profit earned by the licensee from the date of commencement of the actual operation of venture.

The licence was renewed from time to time as per mutually agreed terms & conditions. Since audited accounts were not mostly available on time and since there were disputes about gross revenues & tax liability, it was decided during negotiations for subsequent renewals that in place of 50% of net profit, 50% of proceeds from gate fees shall be paid to the licensor.

Last licence deed was executed between NDMC & DTTDC on 12.05.07 for the period w.e.f. 01.04.2006 to 31.03.2011 subject to that licensee shall pay to the licensor a sum of Rs.1.50 lacs per annum plus 50% of the sale of entry tickets of Dilli Haat per annum. Based on this, the licence fee received are as at **Annexure "A" (See page 103)**. The licensee shall also pay a sum of Rs.8000/- per month as licence fee for 130 sq. mtr area of parking lot. For renewal of licence, several discussions were held with DTTDC officials for increasing licence fee as NDMC should get optimal returns from the licensed plot.

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

The term of licence has expired and needs to be renewed w.e.f. 01.04.2011 for a further period of ten years. Clause No. 3 of licence deed states that licence shall be for a period of ten years w.e.f. 01.04.2001 to 31.03.2011 and may be renewed at the discretion of the licensor. Considering the established property, the assistance provided by Dilli Haat project to artisans & craftsmen as also its massive contribution towards recreation and tourism development. It is now proposed as under:

1. 50% share of NDMC in last five years was Rs. 94.2 lacs. The licence fee for the period 01.04.2011 to 31.03.2021 be fixed at a minimum of Rs. 1 crore per annum payable at Rs. 25 lacs per quarter or 60% of receipt from sale of entry tickets whichever is higher.

2. Licence fee for parking lot be fixed at Rs. 10,000/- per month to be increased by 10% per annum.

3. Any delay in payment of licence fee would attract interest at the rate fixed by the Council from time to time.

4. There shall be a clause in licence deed that DTTDC would not reduce the current entry fee without approval from NDMC.

5. The remaining terms and conditions for renewal of licence would be same as provided in the previous licence deed insofar as they do not contradict the conditions stated above.

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

This is a revenue generating proposal and does not involve any expenditure.

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

N.A.

**7. Comments of the Finance Department on the subject with diary number and date:**

Finance has seen and concurred vide diary No. 1706/PS/FA/11 dt. 08.09.2011.

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

No comments.

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

No legal implications involved.

**10. Details of previous Council Resolutions on the subject:**

N.A.

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

Law has seen and concurred vide diary No. R-754/Adv. (R&L) dt. 08.09.2011.

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

No comments

**13. Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.**

All C.V.C. guidelines have been followed.

**14. Recommendations:**

Estate –I Department recommends that the proposal may be kept before the Council for decision on the following points:-

The term of licence will be renewed in favour of DTTDC, Dilli Haat, INA for a period of ten years w.e.f. 01.04.2011 to 31.03.2021 on terms proposed as under.

1. The licence fee be fixed at a minimum of Rs. 1 crores per annum payable at Rs. 25 lacs per quarter or 60% of receipt from sale of entry tickets whichever is higher.

2. Licence fee for parking lot be fixed at Rs. 10,000/- per month to be increased by 10% per annum.

3. Any delay in payment of licence fee would attract interest at the rate fixed by the Council from time to time.
4. There shall be a clause in licence deed that DTTDC would not reduce the current entry fee without approval from NDMC.
5. The remaining terms and conditions for renewal of licence would be same as provided in the previous licence deed insofar as they do not contradict the conditions stated above.

#### **15. Draft Resolution**

Resolved by the Council to accord approval for the following:

1. The licence fee be fixed at a minimum of Rs. 1 crores per annum payable at Rs. 25 lacs per quarter or 60% of receipt from sale of entry tickets whichever is higher.
2. Licence fee for parking lot be fixed at Rs. 10,000/- per month to be increased by 10% per annum.
3. Any delay in payment of licence fee would attract interest at the rate fixed by the Council from time to time.
4. There shall be a clause in licence deed that DTTDC would not reduce the current entry fee without approval from NDMC.
5. The remaining terms and conditions for renewal of licence would be same as provided in the previous licence deed insofar as they do not contradict the conditions stated above.

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

Resolved by the Council to accord approval for the following:

1. The licence fee be fixed at a minimum of Rs. 1 crores per annum (payable at Rs. 25 lacs per quarter) or 60% of receipt from sale of entry tickets whichever is higher.
2. Licence fee for parking lot be fixed at Rs. 10,000/- per month to be increased by 10% per annum.
3. There shall be a clause in licence deed that DTTDC would not reduce the current entry fee without approval from NDMC.
4. The remaining terms and conditions for renewal of licence would be same as provided in the previous licence deed in so far as they do not contradict the conditions stated above.

It was also resolved by the Council that the rate of interest to be charged on delayed payment should also be clearly specified in the agreement.

**ANNEXURE ONE PAGE**

**ITEM NO. 08 (M-04)**

**1. Name of the subject/project :** Framing of Recruitment Regulations for the post of TGT (Various subject for Urdu medium classes) and Assistant Teacher (Urdu)

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

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

- (i) Section 43(1)(c) of the NDMC Act, 1994 provides that the Council may make regulations in respect of the qualifications of candidates for appointment to various posts.
- (ii) The Recruitment Regulations (RRs) for the posts of Assistant Teacher (Urdu) were framed vide Resolution No. 16 dated 22.2.1980 and subsequently revised vide Resolution No. 25 dated 20.2.1981.
- (iii) The RRs for the posts of TGT (Various subject for Urdu medium classes) have not been framed by the Council as yet.

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

- (i) In order to frame Recruitment Regulations for the posts of TGT (Various subject for Urdu medium classes), the Department of Education, GNCT of Delhi was approached to obtain copy of their RRs. However, it was informed that no separate RRs for the post of TGT (Various subject for Urdu medium classes) have ever been framed by the GNCT of Delhi.
- (ii) The issue was subsequently discussed at length in a meeting convened by the then Director (Education) with the concerned officers of the Education Department, when Recruitment Rules framed by Kendriya Vidyalaya Sangthan, Navodaya Vidyalayas, Government of NCT of Delhi as well as NDMC for TGT (Various subjects) in Hindi medium were consulted in the light of subjects being taught up to Secondary level. The committee, after taking into consideration various aspects, drafted the Recruitment Regulations for the post of TGT (Various subject for Urdu medium classes) as per **Annexure I (See pages 106 – 107)**.
- (iii) The Recruitment Regulations for the post Urdu Teacher [Assistant Teacher (Urdu)] framed long back require modifications as per extant UPSC/DoP&T guidelines. The extant RRs for the post are at **Annexure II (See page 108)**. Accordingly, necessary modifications have been carried out in the existing Recruitment Regulations for the post of Assistant Teacher (Urdu) and revised RRs are placed at **Annexure III (See pages 109 – 110)**.

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

No Financial implications are involved in this case.

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



The process for filling up of vacancies will be initiated immediately after approval of the Council.

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

Finance Department has concurred to the proposal of the department.

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

No comments.

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

It is an administrative matter and there are no legal implications.

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

No comments.

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

No comments required.

**12. Details of previous Councils Resolutions, existing law of Parliament and assembly on the subject :**

- (i) Resolution No. 16 dated 22.2.1980
- (ii) Resolution No. 25 dated 20.2.1981.

**13. Recommendations :**

It is recommended that Recruitment Regulations for the posts of TGT (Various subject for Urdu medium classes) be framed as **Annexure I** and RRs for the posts of Assistant Teacher (Urdu) modified as **Annexure III**.

**14. Draft Resolution :**

Resolved by the Council that the Recruitment Regulations for the posts of TGT (Various subject for Urdu medium classes) and Assistant Teacher (Urdu) annexed as **Annexure I** and **Annexure III** respectively are approved.

**COUNCIL'S DECISION**

Resolved by the Council to accord approval to framing of Recruitment Regulations for the posts of TGT (Various subjects for Urdu medium classes) and the proposed amendment in the Recruitment Regulations for the post of Assistant Teacher (Urdu), annexed with the agenda as Annexure I and Annexure III, respectively.

**Proposed Recruitment Regulations for the post of TGT (Various subject for Urdu medium classes)**

1.	Name of the Post	<b>Trained Graduate Teacher</b> [Social Science/Mathematics /Physical or Natural Science for Urdu medium classes ]
2.	No. of Posts	10 [2011]* *(Subject to variation depending on workload.)
3.	Classification	Category 'B' Non-Gazetted, Non-Ministerial
4.	Scale of pay	Rs. 9300-34800 + 4600 GP (6 <sup>th</sup> CPC)
5.	Whether Selection post or non-selection post	Selection
6.	Age limit for direct recruits	Below 32 years (Relaxable in case of SC/ST/OBC/PH/Ex-Serviceman/ Govt. employees/female candidates as per Govt. of India Instructions issued from time to time.)
7.	Whether benefit of years: of service admissible under Rules 30 of CCS (Pension) Rules, 1972.	No
8.	Educational and other qualifications required for direct recruits	<p><b>1. A Bachelor's degree or equivalent from a recognized University or equivalent having secured at least 45% marks in aggregate in two school subjects of which at least one out of the following should have been at the elective level:</b></p> <p><b>a) Mathematics b) Social Science and c) Physical/Natural Science.</b></p> <p><u>Note:</u> As per policy, the definition of elective in RRs has been framed as that the candidate should have studied the main subject concerned as mentioned in the RRs of at least 100 marks each in all parts/years of graduation. The elective word may also include main subject as practiced in different Universities.</p> <p>Note: Main subjects for</p> <p><b>(i)TGT(Social Science):</b>History/Political Science/Economics /Geography</p> <p><b>(ii) for TGT (Mathematics) --- Mathematics</b></p> <p><b>(iii) TGT (Physical/Natural Science)-</b> Physics, Chemistry, Biology (Botany &amp; Zoology both).</p> <p>Provided further that the requirement as to minimum of 45% marks in the aggregate at graduation level shall be relaxable in case of</p> <p>a) Candidates who possess a post graduate qualification in any of the teaching subjects listed above</p> <p>b) belonging to SC/ST/ Physically handicapped category.</p> <p>c) In case of Honors Degree in any of the above</p>

		<p>mentioned three subjects, the candidate must have studied other two subjects in the first and second year of the course.</p> <p><b>2.</b> (i) Bachelor of Education (for direct recruitment only) (ii) B.Ed or SAV for departmental candidates.</p> <p><b>3.</b> The candidate must have studied Urdu as a subject up to Secondary level or equivalent.</p>
9.	Whether age and educational qualifications prescribed for direct recruits will apply to promotees	Age: No Educational Qualification : Yes
10.	Period of probation, if any	Two Years
11.	Method of Recruitment whether by direct recruitment or by promotion or by deputation/transfer & percentage of the vacancies to be filled by various methods	By direct recruitment -25% By departmental promotion failing which by direct recruitment-75%
12.	In case of Recruitment by promotion/by deputation/transfer grades from which promotion/deputation/transfer to be made	<p><b>Promotion:</b></p> <p><b>1.</b> By promotion from amongst Assistant Teachers having a minimum of five years regular service as Assistant Teacher in the pay scale of Rs. 9300-34800 + 4200 GP and possessing requisite qualifications prescribed for direct recruitment, failing which by direct recruitment --<b>70%</b>.</p> <p><b>2.</b> By promotion from Laboratory Assistants working in NDMC Schools having a minimum of 5 years regular service as Laboratory Assistant and possessing requisite qualifications prescribed for direct recruitment, failing which by promotion of Assistant Teachers -- <b>5%</b></p> <p><b>3.</b> By direct recruitment --<b>25%</b></p> <p><u>Note:</u> The eligibility of personnel of feeder cadre will be determined with reference to qualifications possessed by them as on 1<sup>st</sup> January of the year in which selection is made.</p>
13.	If a DPC exists, what is the composition?	<p>DPC (for promotion)</p> <ol style="list-style-type: none"> <li>1. Secretary - (In Chair)</li> <li>2. Director (Personnel) - Member</li> <li>3. Director (Education) - Member</li> <li>4. Director (Finance) - Member</li> <li>5. Director (Liaison) - Member</li> </ol>
14.	Circumstances in which UPSC to be consulted in making recruitment	Not applicable

**Annexure-II****Existing Recruitment Regulations for the post of Urdu Teacher**

<b>Sl. No</b>		
1.	Name of the Post	<b>Urdu Teacher</b>
2.	No. of Posts	--
3.	Classification	Group 'C'
4.	Scale of pay	1200-2040
5.	Whether Selection post or non-selection post	NA
6.	Age limit for direct recruits	18-30 years for Male. 18-40 years for Female.
7.	Whether benefit of added years of service admissible under Rules 30 of CCS (Pension) Rules, 1972.	--
8.	Educational and other qualifications required for direct recruits	<b>Essential:</b> 1. Higher Secondary Certificate (with Urdu as an elective Subject) + 2 years teacher's training certificate from recognized Institution/University, Or Intermediate with Urdu as an elective subject with one year's teacher training or equivalent from a recognized Institution/University.  <b>Desirable:</b> i) Bachelor's Degree of a recognized University or equivalent and ii) Bachelor's Degree in Education from a recognized University/Institution.
9.	Whether age and educational qualifications prescribed for direct recruits will apply to promotees	---
10.	Period of probation, if any	---
11.	Method of Recruitment whether by direct recruitment or by promotion or by deputation/transfer & percentage of the vacancies to be filled by various methods	Direct Recruitment
12.	In case of Recruitment by promotion/by deputation/transfer grades from which promotion/deputation/transfer to be made	Not Applicable
13.	If a DPC exists, what is the composition?	As in NDMC
14.	Circumstances in which UPSC to be consulted in making recruitment	--

**Annexure-III****Proposed Recruitment Regulations for the post of Asstt. Teacher (Urdu)**

<b>Sl. No</b>	<b>ITEM</b>	
1.	Name of the Post	<b>Assistant Teacher (Urdu) - Primary</b>
2.	No. of Posts	46 [2011]* *(Subject to variation depending on workload.)
3.	Classification	Category 'B' Non-Gazetted, Non-ministerial
4.	Scale of pay	Rs. 9300-34800 + 4200 GP (6 <sup>th</sup> CPC)
5.	Whether Selection post or non-selection post	Selection
6.	Age limit for direct recruits	Below 30 years (Relaxable in case of SC/ST/OBC/PH/Ex-Serviceman/ Govt. employees/female candidates as per Govt. of India Instructions issued from time to time.)  Note: The crucial date for determining the age-limit shall be the closing date for receipt of applications from candidates in India.
7.	Whether benefit of added years of service admissible under Rules 30 of CCS (Pension) Rules, 1972.	No
8.	Educational and other qualifications required for direct recruits	<b>Essential:</b> 1. Senior Secondary (10+2) or intermediate or its equivalent from a recognized Board. 2. Two years Diploma or Certificate Course in Elementary Teachers Education Course/Junior Basic Training or Bachelor of Elementary Education or equivalent from a recognized institution. 3. Must have passed Urdu as a subject at Secondary level or equivalent  <b>Desirable :</b> Computer Knowledge
9.	Whether age and educational qualifications prescribed for direct recruits will apply to promotees	Not Applicable
10.	Period of probation, if any	Two Years
11.	Method of Recruitment whether by direct recruitment or by promotion or by deputation/transfer & percentage of the vacancies to be filled by various methods	By direct recruitment

12.	In case of Recruitment by promotion/by deputation/transfer grades from which promotion/deputation /transfer to be made	Not Applicable
13.	If a DPC exists, what is the composition?	Not Applicable.
14.	Circumstances in which UPSC to be consulted in making recruitment	Not Applicable

**ITEM NO. 09 (G-03)****1. Name of the Subject/Project**

DERC tariff orders for Retail Electricity Supply in NDMC area with effect from 1.9.2011.

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

Power Department.

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

(i) New Delhi Municipal Council is entrusted with distribution of electricity in the New Delhi area as per Sections 195 to 201 of the New Delhi Municipal Council Act, 1994. As per Section 200 of the NDMC Act, 1994, NDMC levies charges for the electricity supplied subject to the provisions of any law for the time being in force. The relevant laws on this subject are the Delhi Electricity Reforms Act, 2000 and the Electricity Act, 2003.

(ii) After the enactment of the Electricity Act, 2003, NDMC was declared a deemed licensee for its area under Section 14 of the Act, apart from other licensee operators in Delhi. As per Section 45(5) of Electricity Act, 2003, the charges fixed by the distribution licensees shall be in accordance with the provisions of the Act and Regulation made in this behalf by the concerned State Commission, viz. DERC.

(iii) The Delhi Electricity Regulatory Commission (DERC) was constituted in March, 1999. The Commission, under provisions of the Electricity Act, 2003 and Delhi Electricity Reforms Act, 2000 is authorized to prescribe terms and conditions for determining licensees revenues and to decide tariff as per procedure and principles under Section 28 of the Delhi Electricity Reforms Act, 2000.

(iv) As per Section 174 of the Electricity Act, 2003 and Section 63 of the Delhi Electricity Reforms Act, 2000, the provisions of these Acts shall have over riding effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

(v) The Council vide its Resolution No. 07(G-03) dated 21.08.2001 adopted the revised electricity tariff prescribed by DERC effective from 1<sup>st</sup> June, 2001 with the stipulation that in case of any adjustment later by the Commission, the tariff applicable to consumers in NDMC area will also be amended accordingly.

(vi) The Council vide its Resolution No. 14(G-10) dated 31.03.2008 adopted the revised electricity tariff order issued by DERC on 7.3.2008 determining the retail tariff for supply of electricity with effect 1.4.2008. The Council vide its Resolution No. 07(G-03) dated 21.08.2009 noted the revised electricity tariff order issued by DERC on 18.6.2009 effective from July, 2009.

(vii) The existing electricity retail tariffs in NDMC area are quite less as compared to the tariff being paid by the consumers of other private DISCOMs.

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

(i) NDMC had filed petitions before DERC for approval of True up for FY 2008-09 and FY 2009-10 and Aggregate Revenue Requirement (ARR) for FY 2011-12, which were admitted by the Commission vide separate orders dated 08.01.2010 and 04.05.2011 respectively.

(ii) The Commission in exercise of the power vested in it under the Electricity Act, 2003 and Delhi Electricity Regulatory Commission (Terms and conditions for Determination of Wheeling Tariff And Retail Supply Tariff) Regulations, 2007 extended the MYT for one more year, i.e., up to 31.03.2012 vide their order dated 10.05.2011.

(iii) The ARR petition filed by NDMC was brought in the public domain through advertisement in newspapers, uploading on website of NDMC and Commission and public

hearings held on 04.07.2011 to 07.07.2011. No stakeholder, however, raised any issue on the petition filed by NDMC. In fact during the course of public hearings, number of consumers described NDMC as role model for other private DISCOMs.

(iv) The Commission has passed the order on True Up for FY 2008-09 and FY 2009-10 and Aggregate Revenue Requirement (ARR) for FY 2011-12 on 26.08.2011, which is to be implemented w.e.f. 01.09.2011. A copy of the tariff order for the financial year 2011-12 is at **Annexure I (See page 114)** .

(v) The Commission has also prescribed a formula for quarterly revision for Fuel Price Adjustment (FPA).

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

The revised tariff determined by the Commission will be effective from 1<sup>st</sup> September 2011. On the basis of exiting tariff, revenue projected to be billed for FY 2011-12 is Rs. 619.54 Crores whereas it will be Rs. 686.07 Crores on billing at the revised tariff, still leaving a net revenue gap of Rs. 211.50 Crores.

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

The revised tariff is to be made effective from 01.09.2011 and would be collected from the consumers from the next billing cycle(s).

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

No comments. The Agenda is for informing the Council.

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

No comments.

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

There are no legal implications.

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

NDMC has no option and has to implement the directions of DERC.

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

No comments.

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

- a. Delhi Electricity Reforms Act, 2000
- b. Electricity Act, 2003
- c. DERC (Term and Conditions for determination of Wheeling tariff and Retail Supply tariff) Regulation, 2007.
- d. Council's Resolution No. 3(i) dated 17.07.2001
- e. Council's Resolution No. 14(G-10) dated 31.03.2008
- f. Council's Resolution No. 07(G-03) dated 21.08.2009



**13. Recommendations**

The revised Retail Supply Tariff order of DERC for NDMC consumers is mandated to be implemented from 1<sup>st</sup> September, 2011 and formula for quarterly revision in Fuel Price Adjustment (FPA) will also be implemented as per directions of the Commission. This is placed before the Council for information.

**14. Draft Resolution**

Information noted.

**COUNCIL'S DECISION**

Information noted, by majority.

Annexure one page

**ITEM NO. 10 (E-03)**

1. **Subject:** - Approval of the Rate Contract for procurement of Allopathic Medicines for the year 2011-12.
2. **Name of the department:** - Medical Department.
3. **Brief History of the Subject:**- Medical care through its hospitals, dispensaries and MCWCs is an obligatory function of the council under section 11 of NDMC Act 1994. All basic and essential medicines required by these institutions for the treatment of patients are provided free by NDMC. A sum of Rs.300 lakhs has been allocated under head of account 34.230.80.47 in the budgetary estimates for the year 2011-12 for this purpose.

The department registers firms for five years based on pre-qualification criterion. At present there are 45 firms on NDMC roles empanelled vide council's resolution no. 22(E-5) dated 18.6.2008 (**Annexure A See pages 117 - 120**). The orders are placed every quarter (or in between if the need so arises) with the firm approved for the specified drug at a rate approved in the rate contract following the inventory management instruction for the department approved vide resolution no. 26(E-6) dated 19.12.2007 (**Annexure B See pages 121 - 122** )

4. **Detailed Proposal on the Subject/Project:-** Administrative approval and expenditure sanctioned amounting to Rs.300 lacs was accorded by the Council vide Reso. No. 07(E02) dated 20.4.2011 (**Annexure-C See Pages 123 - 125**) for procurement of Allopathic Medicines for the year 2011-12. This sanction includes the expenditure to be incurred on routine and emergent requirement as well as the indent purchased from the Kendra Bhandar for the exclusive benefit of NDMC employees and their dependents.

Sealed tenders in respect of the list of drugs finalized by the purchase sub committee were invited from the empanelled firms as per the drug procurement policy of NDMC. Thirty Seven out of the forty five firms empanelled with NDMC participated in the tender process. A comparative statement of the rates quoted for each and every salt/preparation by these participating firms was drawn up and the firm which quoted the lowest (LI) rate for the particular salt/preparation has been recommended for approval. The said rate contract will be valid for a period of 12 months from the date of council's approval (**Annexure D See pages 126 - 137**).

5. **Financial Implications of the Proposed Project:** - Rs.300 Lacs.
6. **Implementation Schedule:** The rate contract will come into effect from the date of council's approval. The supplies are calculated based on rate of consumption of different salts/preparations in the previous quarter and the stock position at hand and will be indented every quarter by placing supply order with the approved firm for the specified salt/preparation under the rate contract.
7. **Comments of the Finance Department on the Subject:-** Concurred Vide no. 1698/PS/FA/D/2011 dated 7.9.2011.
8. **Comments of the Department on Comments of Finance:-** Nil.
9. **Legal Implications of the Subject:-** Nil.
10. **Details of Previous Council Resolution, Existing Law of Parliament and Assembly on the Subject:-**
  - i) Resolution No.22 (E-5) dated 18.06.2008 regarding empanelment of firms.
  - ii) Resolution No. 26 (E-6) dated 19.12.2007 role of finance and user department as defined by council.

11. **Comments of the Law Department of the Subject/Project:-** Nil.
12. **Comments of the Department on the Comments of the Law Department:-** N.A.
13. **Certification by the Department that All Central Vigilance Commission (CVC) Guidelines have been followed while processing the case:-** It is certified that all the CVC guidelines have been followed.
14. **Recommendations:-**
  - i) Approval of annual rate contract as proposed in **(Annexure D See pages 126 - 137)** for a period of one year from the date of council resolution for the procurement of allopathic medicines for the year 2011-12.
  - ii) Placement of supply orders of 1st installment in anticipation of the confirmation of the minutes of the decision of the council.

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

Resolved by the Council to accord approval of the following :-

- i) Approval of annual rate contract, as proposed in Annexure 'D' of the agenda, for a period of one year from the date of Council's Resolution, for the procurement of allopathic medicines for the year 2011-12.
- ii) Placement of supply orders of 1st installment in anticipation of the confirmation of the minutes of the Council.

It was further resolved by the Council that the Vigilance Department would carry out monthly random surprise checks in NDMC dispensaries and hospitals, for verifying availability of medicines.

Annexure 21 pages













































Annexure ends

**ITEM NO. 11 (C-16)****CONTRACTS/SCHEMES INVOLVING AN EXPENDITURE OF RS. 1 LAC BUT NOT EXCEEDING RS. 100 LACS.**

Section 143 (d) of NDMC Act, 1994 provides that every contract involving an expenditure of Rs.1 lac but not exceeding Rs.100 lacs under clause 143 (c) shall be reported to the Council. In pursuance of these provisions, a list of contracts entered/executed upto August, 2011, have been prepared.

A list of the contracts, entered into for the various schemes, is accordingly laid before the Council for information. **(See pages 139 - 149).**

**COUNCIL'S DECISION**

Information noted.

ANNEXURE 11 PAGES





















AENXURE ENDS

**ITEM NO. 12 (C-17)**

**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 July, 2011, had already been included in the Agenda for the Council Meeting held on 24.08.2011.

A report on the status of execution of the ongoing schemes/works awarded upto August, 2011, is placed before the Council for information. **(See pages 151 - 215).**

**COUNCIL'S DECISION**

Information noted.

ANNEXURE 151 – 215















































































































































ANNEXURE ENDS

**RESOLUTION MOVED BY SHRI KARAN SINGH TANWAR, MEMBER, NDMC U/S 23 OF THE NDMC ACT, 1994 REGARDING MAINTENANCE OF TALKATORA INDOOR STADIUM & FOOTPATH IN NDMC AREA, IN THE COUNCIL'S MEETING DATED 13.09.2011.**

1. I visited the Talkatora Indoor Stadium to attend some function which was held in the stadium & I was surprised to see that the condition of the Indoor Stadium is in very shabby condition & then I enquired from the officers of the stadium & came to know that maintenance, cleaning, sweeping of the stadium are not carried out properly & regularly. In spite of NDMC has incurred huge amount for redevelopment of the stadium.
2. Lot of Complaint received regarding maintenance of the Footpath / Cleaning, sweeping are not carried out resulting in damaging of footpath after investment of huge amount for re-development of these foot path by providing granite stone & other expensive items.

In view of above, maintenance / cleaning, sweeping work of Talkatora Stadium & Footpath which was improved be taken up immediately within 15 days by proper outsourcing so that further damages/losses be avoided to the Municipal Property.

**COUNCIL'S DECISION**

The Resolution was discussed. The Council directed the department to initiate process of outsourcing the maintenance of the Talkatora Indoor Stadium by issuing fresh tender and other similar establishments like Barat Ghars, Community Centres etc. by following due process.

**(SANTOSH D. VAIDYA)  
SECRETARY**

**(ARCHNA ARORA)  
CHAIRPERSON**