

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI.

COUNCIL'S MEETING NO. 16/2013-14 DATED 21.03.2014 AT 04-00 P.M.

Arrangement of business

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ITEM NO. 01 (C – 32)

Confirmation and signing of the minutes of the Council's Meeting No. 15/2013-14 held on 26.02.2014. (See pages 3-6)

COUNCIL'S DECISION

Minutes confirmed and signed.

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI

MINUTES OF THE COUNCIL'S MEETING NO. 15/2013-14 HELD ON 26.02.2014, AT 11-00 A.M.
IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.

MEETING NO.	:	15/2013-14
DATE	:	26.02.2014
TIME	:	11-00 A.M.
PLACE	:	PALIKA KENDRA, NEW DELHI.

PRESENT :

- | | | | |
|----|----------------------|---|-------------------|
| 1. | Sh. Ajay Maken | - | Presiding Officer |
| 2. | Jalaj Shrivastava | - | Chairperson |
| 3. | Smt. Tajdar Babar | - | Vice Chairperson |
| 4. | Sh. Surender Singh | - | Member |
| 5. | Sh. Ashok Ahuja | - | Member |
| 6. | Sh. I.A. Siddiqui | - | Member |
| 7. | Sh. Suka Ram | - | Member |
| 8. | Sh. Kumar Hrishikesh | - | F.A. / Secretary |

ITEM NO.	SUBJECT	DECISION
01 (C-29)	Confirmation and signing of the minutes of the Council's Special Meeting No. 14/2013-14 held on 21.02.2014.	Minutes confirmed.
02 (A-20)	Rehabilitation of old sewer. Sub-Head. Desilting and rehabilitation	Resolved by the Council to accord revised administrative approval and expenditure sanction amounting to

	of 1100 mm & 1200 mm dia sewer line at Ashoka Road from Nirvachan Sadan to C Hexagon. (Preliminary Estimate Thereof).	Rs.11,41,49,700/- (Eleven crore forty one lakh forty nine thousand seven hundred only) for the work of "Rehabilitation of old sewer. SH:-Desilting and rehabilitation of 1100 mm & 1200 mm dia sewer line at Ashoka Road from Nirvachan Sadan to C Hexagon."
03 (H-05)	Scale of pay of Secretary & Chief Auditor under Section 33 of the NDMC Act, 1994 and Schedule of Establishment in respect of Category 'A' & 'B' posts under 6 th CPC in NDMC.	Information noted.
04 (A-21)	Survey Report. Sub Head:- Demolishing of old electric sub-station at Schindhia House.	Resolved by the Council that the survey report with a written off amount of Rs.1,23,654/- with scrap value Rs. 88,076/- and reserved price of Rs.5,007/- is approved and be written off from the books on account of demolition of the existing structure. It was also resolved by the Council that further action may be taken by the Department in anticipation of confirmation of the Minutes by the Council.
05 (B-19)	Preliminary Estimate for replacement / Augmentation of Distribution transformers and Sub-station equipment at various Sub-station in M/S Area.	Resolved by the Council that administrative approval and expenditure sanction is granted to the Preliminary Estimate Rs.14,63,92,648/-(G) Rs.14,03,00,532/-(N) for replacement / Augmentation of Distribution transformers and Sub-station equipment at various Sub-station in M/S Area. It was also resolved by the Council that further action may be taken by the Department in anticipation of confirmation of the Minutes by the Council.
06 (U-04)	Security and Traffic Services/Arrangements at NDMC Parks and Gardens under Group Contract 'H'.	Resolved by the Council that the Group Contract 'H' for Security and Traffic Services/Arrangements at NDMC Parks and Gardens be awarded to M/s Advance Services Pvt. Ltd. at their quoted amount of `1,72,76,415.24 (Rupees One crore seventy two lakh seventy six thousand four hundred fifteen and paise twenty four only) per annum for a period of two years which comes to a total of `3,45,52,838.48 (Rupees Three crore forty

		<p>five lakh fifty two thousand eight hundred thirty eight and paise forty eight only) as per terms & conditions of NIT.</p> <p>It was also resolved by the Council that further action may be taken by the Department in anticipation of confirmation of the Minutes by the Council.</p>
07 (C-30)	Contracts/Schemes involving an expenditure of Rs.1 Lac but not exceeding Rs.200 lacs.	Information noted.
08 (C-31)	Action Taken Report on the status of ongoing schemes/works approved by the Council.	Information noted.
	Resolution moved by Sh. I.A. Siddiqui Member, NDMC u/s 23 of the NDMC Act, 1994 regarding Public Health and Medical Deptt. of NDMC.	Resolved by the Council to explore the feasibility of opening a Unani system of treatment in NDMC Dispensaries.
	Resolution moved by Sh. I.A. Siddiqui, Member, NDMC u/s 23 of the NDMC Act, 1994 regarding policy in the matter be evolved and in case the residents intend to organise a small function in the ground in front of their houses, they should e allowed to do so.	Resolved by the Council that the residents of NDMC area, who intend to organise small functions in the ground in front of their houses may be allowed to do so.
	TABLE ITEMS	
09 (B-20)	Up-gradation & remodeling of Palika Bazar, New Delhi.	Resolved by the Council to accord revised Administrative Approval and Expenditure Sanction to the revised estimate amounting to ` 27,20,47,368/- for the work of "Up-gradation & remodeling of Palika Bazar, New Delhi; Sub Head: Providing electrical system (HVAC System, Sub-Station, IEI Works, DG Set) Civil Works, Fire Prevention & Measures, (Wet Riser & Sprinkler, Fire Detection & Alarm and PA System).
10 (A-22)	Name of work: - S/R of Roads in NDMC area. SH: Improvement of	Resolved by the Council to accord administrative approval and expenditure sanction to the Preliminary

	Riding Quality of Tess January Marg, Teen Murti Marg, Mother Teresa Crescent Marg, Old R.K. Ashram Marg, Mahadev Road and Dr. Zakir Hussain Marg (C-Hexagon to SMB Marg) through Micro Surfacing Type-III Grading.	Estimate amounting to ` 2,11,82,400/- (` Two Crore Eleven Lacs Eighty Two Thousand Four Hundred Only) for the work "Strengthening and Resurfacing of Roads in NDMC area. SH :- Improvement of Riding Quality of Tess January Marg, Teen Murti Marg, Mother Teresa Crescent Marg, Old R.K. Ashram Marg, Mahadev Road and Dr. Zakir Hussain Marg (C-Hexagon to SMB Marg) through Micro Surfacing Type-III Grading."
11 (A-23)	Name of work: - S/R of Roads in NDMC area. SH: - Resurfacing of C-Hexagon (Except Akbar Road to Ashok Road).	Resolved by the Council to accord administrative approval and expenditure sanction to the Preliminary Estimate amounting to ` 2,44,76,700/- (` Two Crore Forty Four Lacs Seventy Six Thousand Seven Hundred Only) for the work "Strengthening and Resurfacing of Roads in NDMC area. SH :- Resurfacing of C-Hexagon (Except Akbar Road to Ashok Road)".
12 (P-01)	Booking of various parks, gardens, lawns in NDMC area and approval of their charges/ rates.	<p>Resolved by the Council that the Council Resolution passed in the Council meeting No. 10/2007 – 08 dated 17/10/2007 may be modified as under :-</p> <p>"Central Park/Connaught Place shall be booked for maximum of Ten days during a Calendar Month subject to the condition that this does not violate any direction/order issued by Hon'ble Supreme Court/High Court/or any other Court".</p> <p style="text-align: center;">And</p> <p>"No Commercial/ Marriage/Private/Political functions/ meetings/relies be permitted in any of the above parks. The Non Government Organization (NGO) may be allowed to hold any function only with the prior approval of Chairman, if he decides in favour of doing so in view of the Socio Cultural importance of the programme" and provided that the number of people does not exceed 1500 in any case.</p> <p>All other terms and conditions will remain the same.</p>

Points discussed :-

1	Regarding Teachers, Computer Operators, Drivers etc. who have been working on contract basis in NDMC.
2	Regarding Doctors of different system of medicines viz. Allopathic, Homeopathic, Ayurvedic and Dental working in NDMC on contract basis.
3	Regarding Letter addressed to Sh. Ajay Maken, MP (Lok Sabha), Member, NDMC by 'NDMC Contract Doctors'.
4	Regarding promotion of Ex. Engrs./Supdt. Engrs.

Regarding point no.5:- After detailed deliberations and discussions, it was resolved that SS scale should be given to the affected employees as decided in the council Meeting vide resolution No.21 (H-03) dt. 22.07.2009.

The Chairperson informed that these point no 1 to 4 are administrative issues and he will get them examined at his level.

-Sd/-
(JAJLAJ SHRIVASTAVA)
CHAIRPERSON

-Sd/-
(AJAY MAKEN)
PRESIDING OFFICER

ITEM NO. 02 (I – 02)

1) Name of the Subject/project: Procurement of HRMS software, Automation of Human Resource Management System for NDMC Employees.

2) Name of the deptt./deptts. concerned: Information Technology Department.

3) Brief history of the subject/project:

There are approx. 12500 employees in NDMC. There is no automated system to track the deployment of employees. There is no integrated system which does Personal Management, Leave Management, Training & learning, Performance of employee self services, self & supervisory. There is also no system to automate system for Performance, Promotion of NDMC employees. There is small / legacy software of Payroll processing which is built on PowerBuilder, "an obsolete technological platform" for which the manpower expertise is not easily available. Moreover, existing Payroll system does not support any changes in HR Policies and reviews which impact payroll calculations.

In order to achieve an efficient employee base it has been decided that an integrated Human Resource Management System is implemented. One time cost per employee to yield benefits for several years to come is appx. Rs. 12000 per employee.

4) Detailed proposal on the subject/project:

Personal Management

The supplier needs to supply the proposed ISHRM module licenses for the following functional areas of NDMC.

A. Prime functions

1. Personal Management
2. Leave Management
3. Payroll Management
4. Training and Learning Management
5. Performance Management
6. Employee Self Services

7. Supervisory Self Service etc

B. In order to support the prime functions and other functions, the proposed ISHRM module shall also cover the following modules either built in the Core module /add on modules.

1. Dash Board Functionality at different level of administration & MIS
2. Document Management System
3. Workflow Management

The functionality should extensively cover:

- **Management Planning**
Management of personal data of employees and maintenance of service book of employees.
- **Recruitment Planning**
- **Confirmation of employees in the Cadre**
Training undertaken, track & record of successful completion of training exam passed.
- **Leave Management (earned & availed)**
Online leave application processing using work flow, knowledge bank of leave rules and validation of leaves against business calendar.
- **Employees Self Service**
Option for employees to update his payment details, View training calendar / details request for leaves, status of leave, Online printing of pay slips of employees, Allow user to apply online medical re-imburement.
- **Supervisor Self Service**
- **Performance Management System**
Online processing of appraisal, Upload ACR and Update ACR.
- **Training & Learning Management**
Previous year budget estimates, workflow for request of employees for training, uploading of evaluation report of training, allow webmail communication.

- **Promotion**
- **Payroll Processing**
- **Pension Management**
- **Pension Grievance**
- **Pension Revision**

The solution should have integrated business intelligence platforms which have interactive dashboard, proactive alert system and mobile access in Human Resource Management (ISHRM) Solution. Analysis and reporting which should provide an interface for Adhoc query, reporting & analysis of data sources.

System Requirements:

The system will, essentially be characterized by the following features:

- I. User Interface:** The interfaces should be user friendly and with Graphic User Interface (GUI) with web browser access as the system will be at the Geographical Scope . There should be sufficient edit and validation checks in the system. It should provide safeguards to prevent damage to data from operator errors, simultaneous updating, and module unavailability or system failures. The system should provide consistent screen and modules. It should provide on-line error reporting and use a menu- based system with facilities to bypass menus. The system should provide drill down facility to next level of details and so on.
- II. Single Point Data entry/Data capture:** The system should be based on Single Unified data model and capable of capturing data, already entered into the computer so as to ensure integrity of data.
- III. Data Access and Security:** The system should have proper security and maintenance facility which limits access to the system and its various functions to the users delegated with appropriate authority. It should provide log in, both by user and by terminal. The System should provide the date and time of all transaction with details of creation, read, change/ update, delete or print. Access should be restricted at different levels of data file, program, module, screen, record, field database table, row or column. Suitable firewall against unauthorized uses, interceptions, misuses by outside parties shall be provided.

- IV. Data Archival:** The system should be able to archive data based on user specified parameters (i.e. data range) and restore archival data for on-line use as and when required

- V. Open Architecture:** The system should be open to allow interoperability with general-purpose software and have the facility to export/import data files from other applications. The system should be compatible to major operating systems (UNIX/LINUX/Windows/SUN-ORACLE SOLARIS) and hardware platform (SUN/IBM/HP Servers).

- VI. Dash Board Function:** Data collection rules for Management Dashboard Function (Executive Information System) should be dynamic and flexible pertaining to human resource related functionalities. It should be capable of being refreshed on schedule or on periodic basis.

- VII. Performance Optimization:** The system should support functionally distributed computing from a centralized environment, allowing distributed functions across different locations. It should include integrated tools for monitoring system performance such as response time, CPU utilization.

- VIII. Flexibility:** The system should support customization to business requirements of changing business practices.

- IX. Modularity:** The system will initially be required to cover a range of business process modules as mentioned above but it should allow addition of more modules as and when required, which should seamlessly integrate into the core system.

- X. Integration:** The system should be fully integrated across departments, functional areas and also across geographical location of sites. It should be unified and interfaced. It should have the ability to automatically update all related modules, for any change which has occurred in one module. It should have the ability to assign validation on specific fields based on entries in the data validation reference file. It should adapt Work Flow management techniques.

- XI. Internet and Intra-net enabled:** The system should be fully web enabled to work in the Internet and Intranet environment.

- XII. Scalable:** The system should be scalable to handle up to two times the number of users and volume of data load.
- XIII. System Control and Audit:** The system should be able to define audit trails, audit logs and transaction log-in requirements. It should enable audit trails on-line, tailor audit requirements by modules, call audit records to an archive based data or other recorded audit details.
- XIV. Localization:** The system should have adequate localization to handle specific requirements of Regulatory Indian Laws (Central and State), tax and duty legislation
- XV. Help facility:** The system should provide context based help facilities and also on-line help at functions, screen and field level that can be tailored to suit NDMC's requirement.
- XVI. Search Engine:** The system should be able to search across multiple repositories of the proposed ISHRM module i.e. relational databases, files on disk & email servers etc.
- XVII. File Management:** The system should provide for searching of files to increase employee productivity by enabling users to easily collaborate with their co-workers among NDMC Offices and find files with a single search.
- XVIII. Performance Standard:** The System should ensure that functions and its integrations are according to the definition as per scope of work at all locations.

5) Financial implications of the proposed/subject:

Yes, the estimated cost of the Project would be Rs. 15 Crores.

The cost estimation has been based upon DGS&D Rates, a nodal agency approved by Govt. of India. Accordingly an estimate has been prepared from the rate contract of DGS&D.

The cost justification for the same is as below:

Item No.	Item Description	Unit Cost (Rs.)	No. of Users	Total (Rs.)
1	Enterprise Foundation	2,73,600.00	1	2,73,600.00

	Package			
2	Payroll Processing	1,28,250.00	24	30,78,000.00
3	Learning Solution	5,13,000.00	24	1,23,12,000.00
4	Application on Employee Self Service User	2,137.60	12000	2,56,51,200.00
5	Application on Professional User for HR	44,460.00	500	2,22,30,000.00
6	Application Developer User	1,02,600.00	20	20,52,000.00
Subtotal 1				6,55,96,800.00

In the above table, the column of item no. & unit costs have been taken from DGS&D rate contract.

Item no. 1 is a mandatory license requirement as per no. 1 of on remarks page 33 of enclosed DGS&D rate contract (highlighted).

For Item no. 2 & 3 the unit cost is for a stack of 500 employees, therefore no. of users for each of these items are $12000 / 500 = 24$.

For item no. 4, No. of users = No. of Employees

For item no. 5, the no. of users have been estimated to be 500 who will be given authority of supervisors & authority users.

Item 6 is mandatory requirement for 20 functional consultants deployed for customization.

1. Database Cost

As per page 31 of enclosed DGS&D rate contract, Database cost is @14% of Proposed HRMS Cost and is mandatory as per point 3 of remarks on page 33 of DGS&D rate contract (highlighted).

$14\% \text{ of } 6,55,96,800 = \text{Rs. } 91,83,552/- *$

The Sub total 1 of proposed HRMS is = HRMS Cost + Database Cost
= 6,55,96,800.00 + 91,83,552 = Rs. 7,47,80,352.00 *

2. Maintenance Cost

As per page 38 of enclosed DGS&D rate contract maintenance cost is @22% of System Cost

Maintenance Cost = 22 % of 6, 55, 96,800 = Rs. 1, 44, 31,296/- *

Subtotal 2 = Rs. 1, 44, 31,296/- *

3. Implementation Cost (Customization / Commissioning)

- I. As per page 34 of enclosed DGS&D rate contract, the manpower cost per day is given. NDMC has not incorporated, travel, boarding & lodging cost as NDMC intends to hire domestic expertise for the said Project.

Customization Cost

- a. Program Manager - 1 No.

27000 X 20 Working days = 540000/- (Five Lacs Forty Thousand)

Proposed implementation time = 6 Months

Total Cost = 540000 X 6 = Rs.32, 40,000/-

- b. Project Manager - 1 No.

24750 X 20 Working days = 495000/- (Four Lacs Ninety Five Thousand)

Proposed implementation time = 6 Months

Total Cost = 495000 X 6 = Rs. 29, 70,000/-

- c. Lead Functional Consultant - 1 No.

24750 X 20 Working days = 495000/- (Four Lacs Ninety Five Thousand)

Proposed implementation time = 6 Months

Total Cost = 495000 X 6 = Rs. 29, 70,000/-

- d. Functional Consultant - 20 Nos.

19500 X 20 Working days = 390000/- (Three Lacs Ninety Thousand)

Proposed implementation time = 9 Months

Estimation of No. of resources = 20

Total Cost = 20 X 390000 X 9 = Rs.4, 68, 00,000/-

- e. Functional Consultant for Master Data Modeling & Processing - 4 Nos.

19500 X 20 Working days = 390000/- (Three Lacs Ninety Thousand)

Proposed implementation time = 2 Months

Total Cost = 4 X 390000 X 2 = Rs.31, 20,000/-

Total Customization Cost = 32, 40,000 + 29, 70,000 + 29, 70,000 + 4, 68, 00,000
+ 31, 20,000 = 5, 91, 00,000.00

Subtotal 3 i.e. Customization Cost = Rs. 5, 91, 00,000/- *

4. Training Cost

As per page 37 of enclosed DGS&D rate contract training will be given for minimum 10 days to 1 batch. It is estimated that NDMC will have 6 batches to be trained.

Subtotal 4 = 6 X 13, 50,000 = Rs. 81, 00,000/- *

The Total estimated cost of the Project i.e.

= Subtotal 1 + Sub Total 2 + Sub Total 3 + Sub Total 4

= 7, 47, 80,352.00 + 5, 91, 00,000.00 + 1, 44, 31,296.00 + 81, 00,000.00

= 15, 64, 11,648.00*

(Fifteen Crore Sixty Four Lacs Eleven Thousand Six Hundred and Forty Eight Rupees)

The Cost of Project as per enclosed rate contract of DGS&D is estimated to be **Rs.15,64, 11,648.00 (Fifteen Crore Sixty Four Lacs Eleven Thousand Six Hundred and Forty Eight Rupees)**

NOTE: * The taxes will be extra as applicable

As Per NICS Rate Contract

S.No.	Product Description	Metric (Per Unit)	License Fee (Rs.)	S/W Update Fee (Rs.)	Product Support Fee (Rs.)
1	ORACLE Human	Employee	1557.22	233.58	109.01
2	ORACLE HR Self Service	Employee	336.68	50.50	23.57
3	ORACLE I Recruitment	Employee	691.30	94.70	44.19
4	ORACLE Payroll	Employee	1893.91	284.09	132.57
5	ORACLE Time & Labor	Employee	925.92	138.89	64.81
6	ORACLE Performance Management	Employee	883.86	132.58	61.87

			6288.89	934.34	436.02
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- No. of Users (Employees) = 12000
- Total License Fee for 12000 Employees as per table above = $6288.89 \times 12000 = \text{Rs. } 75466680$
- Total S/w update & Product Support Fee for 12000 Employees as per table above = $(934.34 + 436.02) \times 12000 = \text{Rs. } 16444320$

Subtotal 1 of License Fee + Maintenance + Database = 9,19,11,000 (Rupees Nine crore Nineteen Lac Eleven thousand only)

Implementation Cost (Customization / Commissioning)

1. As per NICSI T&M rate contract, the manpower cost per day is given. NDMC has not incorporated, travel, boarding & lodging cost as NDMC intends to hire domestic expertise for the said Project.

Customization Cost

- a) Project Manager- 1 No.

Cost as per T&M rate of NICSI = 35000 per day

35000×20 Working days = 700000/- (Seven Lacs)

Proposed implementation time = 6 months

Total Cost = $700000 \times 6 = \text{Rs. } 42,00,000/-$

- b) Project Architect- 1 No.

Cost as per T&M rate of NICSI = 32000 per day

32000×20 Working days = 640000/- (Six Lac Forty Thousand)

Proposed implementation time = 6 months

Total Cost = $640000 \times 6 = \text{Rs. } 38,40,000/-$

- c) Lead Functional Consultant- 1 No.

Cost as per T&M rate of NICSI = 32000 per day

32000 X 20 Working days = 640000/- (Six Lac Forty Thousand)

Proposed implementation time = 6 months

Total Cost = 640000 X 6 = Rs. 38,40,000/-

d) Functional Consultant- 10 Nos.

Cost as per T&M rate of NICSI = 26500 per day

26500 X 20 Working days = 530000/- (Fifty Three Lacs)

Proposed implementation time = 9 months

Estimation of No. of resources = 10

Total Cost = 10 X 530000 X 9 = Rs. 4,77,00,000/-

e) Functional Consultant for Master Data Modeling & Processing – 4 Nos.

Cost as per T&M rate of NICSI = 26500 per day

26500 X 20 Working days = 530000/- (Fifty Three Lacs)

Proposed implementation time = 6 months

Total Cost = 4 X 530000 X 6 = Rs. 1,27,20,000/-

Total Customization Cost = 42,00,000 + 38,40,000 + 38,40,000 + 4,77,00,000 + 1,27,20,000
= 7,23,00,000/-

Subtotal 2 i.e. Customization Cost = Rs. 7,23,00,000/-*

Training Cost

Assuming the training cost to be same as taken above as DGS& D rate contract for 6 batches of 10 days to be 8100000.

Subtotal 3 i.e. Training cost = Rs. 81,00,000/-*

The Total estimated cost of the Project as per NICSI rates contract i.e.

= Subtotal 1 + Subtotal 2 + Subtotal 3

=9, 19, 11,000.00 + 7, 23, 00,000.00 + 81, 00,000.00

=17, 23, 11,000.00*

(Seventeen Crore Twenty Three Lacs Eleven Thousand Rupees)

NOTE:*The Taxes will be extra as applicable

As per rates obtained from DGS&D and NICSI the following is the received estimate for HRMS implementation for 12000 employees of NDMC.

Summary Table of DGS&D and NICSI Rate for HRMS implementation

S. No.	Description for HRMS Implementation	Estimate Budget + Taxes Extra
1	DGS&D rates for SAP implementation	15,64,11,648.00
2	NICSI rates for ORACLE implementation	17,23,11,000.00

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

The expected time for awarding the work would be **six months** which would include publishing of NIT, submission of bids, evaluation of bids, finalization of contract, signing of contract and agreement.

The expected time for implementation of Integrated HRMS Software would be **one year** after awarding the work.

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

Vide diary no. 2248/Finance dated 26/11/2013 and Vide diary no. 2540/Finance dated 20/12/2013, Finance department has observed as under:-

- (i) A proper estimate needs to be prepared on the basis of similar work awarded by Govt. Organization / Ministries or local bodies. At page 2/N it has been brought on record that MCD is in process of implementation of similar software in their dept, therefore dept. may obtain detail cost, terms & conditions from them and which further may be customized as per requirement of NDMC.
- (ii) The view of all concerned dept. such as Personnel dept., CBS and Pension dept. who are ultimately required to utilize the said software needs to be obtained in order to run the software successfully in NDMC. The proposed activities which are required to be captured through software needs to be discussed with them along with availability

of required data. This is very important as can be seen from the remarks at p-3/N, that MCD could not sort out employees information system while implementing the similar work in their organization.

- (iii) Over the year number of branches of NDMC such as CBS, e-governance, Welfare, Pensions etc. have adopted and running successfully automated system. Whether the same would be closed after implementing the HRMS software. If yes, the matching saving in terms of money on a/c of their closure needs to be brought on record. If they are not to be closed, the provision of the same be excluded from the proposed software.
- (iv) Department is advised to seek AIP for Implementation of this scheme and thereafter take further action for inviting EOI as per provision of Rule 168 of GFR, prepare RFP and process the case for A/A & E/S, tendering process etc.

8) Comments of IT Deptt. on comments of Finance Deptt. :

The comments of IT department on the comments of Finance department are given as under:-

- (i) The IT department has furnished DGS&D rates for justification. These are standard rates by the nodal agency approved by Govt. of India. DGS&D rates are decided after due Govt. procurement process to arrive at best rates.

Accordingly an estimate has been prepared from the rate contract of DGS&D for proposed HRMS has been submitted to Finance department.

- (ii) IT department is the nodal department for understanding the role information technology can play in modernization of NDMC. HRMS software is required since a long time & is integrated software. The legacy or old system developed which are running independently have to be replaced by a proposed modern system like HRMS & this is the need of hour. Beside this IT department has been trying for the computerization of this HRMS system since 5 years and strongly recommends that it should be taken up on top priority to increase the transparency. IT dept. has already compiled the detailed scope of work based upon functional requirements of sub-departments during approval of HR system as envisaged earlier to be integrated in the smart card based e-Governance solution. A final

approval by Council was given for 18 Crores based upon functional requirement of implementation of HR solution earlier to be integrated with Smartcard solution.

- (iii) The existing software of e-governance, Welfare and Pension are independent of HRMS and HRMS will only be integrated with existing softwares. Apart from payroll software there is no need for closure of any other existing software. For existing payroll also now NDMC is spending more money on maintenance of the software than the original cost of the software.

Therefore, an integrated HRMS is proposed to run over all existing legacy softwares.

9) Legal implication of the subject/project:

No implication.

10) Comments of the Law deptt. on the subject :

None

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

None

12) Certification by the department that All Central Vigilance Commission (CVC) guidelines have been followed while processing the case:

It is certified that CVC guidelines would be followed during tendering.

13) Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject:

Nil

14) Recommendation:

The department recommends for implementation of Integrated HRMS Software for NDMC employees. Accordingly, a preliminary estimate of Rs. 15 Crores is proposed.

15) Draft Resolution:

It is resolved that the preliminary estimate of Rs. 15 Crores for implementation of Integrated HRMS Software for NDMC employees is approved.

COUNCIL'S DECISION

Proposal approved 'in principle'. However, the Council advised IT Department to explore technological options and specifications should be rechecked for ensuring durability. IEMs should also check and examine the proposal. Further, after completing all formalities the Department shall come back to Council for approval.

ITEM NO. 03 (D – 07)**1. Name of the Subject/Project**

Re-appropriation of Funds in Revised Estimates 2013-14.

2. Name of the Department/departments concerned

Finance (Budget) Department

3. Brief history of the Subject/Project

Regulation 8 of the NDMC (Budget Estimates) Regulations, 2010, approved by the Council vide Resolution No. 07 (D-03) dated 27.10.2010 prescribes for re-appropriation of budget allocation as under:

“If at any time during the year, it becomes necessary to increase or reduce Budget Estimates of the current year under one function to another function or from one major head to another major head within the same function, or from one minor head to another minor head within the same major head, and the expenditure for the same cannot wait adoption of Revised Estimates by the Council on the recommendations of the Financial Advisor, the Chairperson, in anticipation of the approval of the Council, may authorize such alteration and place before the Council within one month from the end of the quarter, a report of such alteration and give effect to any order that may be passed by the Council in relation thereto.....”

Further, Section 56 of the NDMC Act,1994, prescribes that the Council may from time to time , during the year, transfer the amount or portion of the amount of the budget grant under any head to any other head.

Sub-section (2) of Section 56 further stipulates that every increase in a budget grant and every additional budget grant made in any year under sub-section (1) shall be deemed to be included in the budget estimates finally adopted for that year.

4. Detailed proposal on the Subject/Project

In pursuance of directions as contained in Section 56 of the NDMC Act,1994 & Regulation 8 of the NDMC (Budget Estimates) Regulations, 2010, a report of the re-appropriations in

Revised Estimates 2013-14 authorized during 4th Quarter of 2013-14 as per details enclosed as Annexure-I is placed before the Council for information and approval.

5. Financial implication of the proposed Project/Subject

No financial implication is involved as it involves only reappropriation within the total Budget. The total amount of reappropriation is as under :

(` in thousand)

	Plan	Non-Plan
Capital Section	Nil	5472
Revenue Section	Nil	7412
Total	Nil	12884

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

Not applicable as Finance Department is not implementing Department

7. Comments of the Finance Department on the subject

Not applicable as the proposal itself is of Finance Department

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

Not applicable as the proposal itself is of Finance Department

9. Final views of Finance Department

Not applicable as the proposal itself is of Finance Department

10. Legal Implication of the Subject/Project

NIL

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

- Council vide its Reso. No. 15 (D-05) dated 10.01.2014 approved re-appropriation of funds authorized up to 31.12.2013.
- Council vide its Reso. No. 01 (D-06) Dated 12.02.2014 approved Revised Estimates 2013-14 & Budget Estimates 2014-15.

12. Comments of the Law Department on the Subject/Project.

Not applicable as it does not involve any legal aspect.

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

Not applicable as it does not involve any legal aspect.

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

Not applicable being reappropriation of existing Budget Provision.

15. Recommendation

Re-appropriation in Revised Estimates 2013-14 authorized during 4th Quarter of 2013-14 as detailed in **Annexure-I (See pages 20 – 23)** be approved by the Council in terms of Section 56 of the NDMC Act,1994, & Regulation 8 of the NDMC (Budget Estimates) Regulations, 2010.

16. Draft Resolution

Resolved that the Re-appropriations in Revised Estimates 2013-14 authorized during 4th Quarter of 2013-14 as detailed in **Annexure-I (See pages 20 – 23)** are approved in terms

of Section 56 of the NDMC Act,1994, & Regulation 8 of the NDMC (Budget Estimates) Regulations, 2010.

COUNCIL'S DECISION

Resolved that the Re-appropriations in Revised Estimates 2013-14 authorized during 4th Quarter of 2013-14 as detailed in **Annexure-I** are approved in terms of Section 56 of the NDMC Act,1994, & Regulation 8 of the NDMC (Budget Estimates) Regulations, 2010.

ANNEXURE-I

**Re-appropriation of funds in Revised Estimates 2013-14 during
4th Quarter vide RAO No. 13**

Statement-IX— Detailed Statement of Expenditure

(In Thousands)

	CoA	Field Code/ Deptt.	Particulars	R.E. 2013-14	R.E. 2013-14 Till last Re- Appro.	R.E. 2013-14 after current Re-Appro.	Amount Re- appro.	Remarks/ Reasons for Re-Appro.	RAO No./Sanction order No. & Date
From	02.220.12.00	319 General Branch	Communication Expenses	5000	5000	4986	-14	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	02.210.20.7	319 General Branch	Uniform to Staff/ Liveries	20000	20000	20014	14		

From	02.250.20.01	324 Palika Samachar	Hindi Programme	1000	1000	989	-11	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	02.250.20.03	324 Palika Samachar	Urdu Programme	300	300	311	11		

From	02.210.20.25	311 Secretary Accounts Branch	New Medical Health Scheme	480000	480000	475376	-4624	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	03.220.80.01	311 Secretary Accounts Branch	HRD Activities (Training & Seminars)	1200	1200	1273	73		
To	52.230.50.00	117 Civil Sewerage Maint. Div.	Sewerage	10200	10200	12751	2551		
To	02.220.51.00	311 Secretary Accounts Branch	Legal Expenses	12500	12500	14500	2000	For making payment to Legal Professionals	

From	61.230.51.00	107 Civil . Road- IV	Park and Fountains	4000	4000	3872	-128	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	25.230.50.00	107 Civil Road-IV	Strom Water Drainage	1117	1117	1245	128		

	CoA	Field Code/ Deptt.	Particulars	R.E. 2013-14	R.E. 2013-14 Till last Re- Appro.	R.E. 2013-14 after current Re-Appro.	Amount Re- appro.	Remarks/ Reasons for Re-Appro.	RAO No./Sanction order No. & Date
From	32.230.80.43	303 Public Health Branch	Anti Malaria Operation	10000	10000	9395	-605	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	33.220.80.02	303 Public Health Branch	Other Administrative Expenses	50	50	71	21		
To	41.220.80.02	303 Public Health Branch	Other Administrative Expenses	7500	7500	8084	584		

From	03.210.20.09	313 ABAS	LTC	1000	1000	500	-500	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	51.210.20.09	115 Water Supply	LTC	1500	1500	2000	500		

From	79.250.20.04	315 Welfare Deptt.	Welfare of Old Age Women destitute	20000	20000	19741	-259	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	54.260.10.03	315 Welfare Deptt.	Social and Cultural Institutions	1200	1200	1459	259		

From	81.220.12.00	207 Elect. Maint. South Div.	Communication expenses	1600	1600	1596	-4	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	81.220.30.00	207 Elect. Maint. South Div.	Travelling and Conveyance	Nil	Nil	4	4		

From	81.220.12.00	210 Elect. 11 KV Plg. Div.	Communication expenses	50	50	49	-1	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	81.210.40.13	210 Elect. 11 KV Plg. Div.	Composite Transfer Grant	15	15	16	1		

From	81.220.12.00	208 Elect. 33 KV Maint. Div.	Communication Expenses	850	850	840	-10	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	81.230.53.00	208 Elect. 33 KV Maint. Div.	Repair and Maintenance Vehicle	NIL	NIL	10	10		

	CoA	Field Code/ Deptt.	Particulars	R.E. 2013-14	R.E. 2013-14 Till last Re- Appro.	R.E. 2013-14 after current Re-Appro.	Amount Re- appo.	Remarks/ Reasons for Re-Appro.	RAO No./Sanction order No. & Date
From	81.220.12.00	211 Elect. Const. Div.-I	Communication Expenses	100	100	91	-9	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	81.220.80.02	211 Elect. Const. Div.-I	Other Administrative Expenses	50	50	59	9		

From	82.230.80.50	318 Education Deptt.	Other Operating and Maintenance Expenses	2500	2500	2203	-297	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	82.230.80.34	318 Education Deptt.	Sports and Games (other than Staff)	500	500	797	297		

From	82.220.52.03	318 Education Deptt.	Other Professional Expenses	7000	7000	6050	-950	For making payment to daily wagers worker	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	82.220.80.02	318 Education Deptt.	Other Administrative Expenses	17500	17500	18450	950		
TOTAL				606732	606732				

Statement-X— Details of Capital Expenditure/Capital works in progress

(In Thousands)

	CoA	Scheme No. /Sub Scheme No.	Field Code/ Deptt.	Particulars	R.E 2013-14	R.E 2013-14 Till last Re-Appro.	R.E 2013-14 after current Re-Appro.	Amount Re-appro.	Remarks/ Reasons for Re-Appro.	RAO No./Sanction order No. & Date
From	56.412.40.00	21/1	101 Civil BM-I Div.	Improvement to Talkatora Stadium	15000	15000	14691	-309	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	02.410.70.00	5	319 General Branch	Furniture Fixture and Appliances	1000	1000	1268	268		
To	07.410.40.00	2/1	220 Elect. Store (11 KV) Div.	Purchase of Tools and Plants	50	50	91	41		

	CoA	Scheme No. /Sub Scheme No.	Field Code/ Deptt.	Particulars	R.E 2013-14	R.E 2013-14 Till last Re-Appro.	R.E 2013-14 after current Re-Appro.	Amount Re-appro.	Remarks/ Reasons for Re-Appro.	RAO No./Sanction order No. & Date
From	21.412.40.00	26/14	105 Civil Road-II Divn.	Resurfacing of B.K. Dutt Colony, Ali Ganj Colony, Jor Bagh Lane and Jor Bagh Colony	15000	15000	14803	-197	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	53.412.40.00	20	105 Civil Road-II Divn.	Setting up of Disaster Management Control Centre in NDMC Area	400	400	597	197		

From	81.412.40.00	25/28	204 Elect. Dist. North Div.	Augmentation of LT System at B.S. Market	1500	1500	173	-1327	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	81.410.80.26	6/1	204 Elect. Dist. North Div.	Service connection/ electricity NDMC share	12000	12000	13327	1327		

From	55.412.40.00	27	122 Civil BM-PK Divn.	Improvement to community center Barat Ghar Babar Road	10000	10000	9861	-139	Due to requirement of additional fund to regularize the excess expenditure	RAO-13 Budget/ SA-I / Fin(B)/ D-565 Dated 19.03.2014
To	75.412.40.00	20/8	122 Civil BM-PK Divn.	Improvement to Dhobi Ghat Under CBM-PK Division	200	200	339	139		

From	02.410.80.00	6/1	309 Chief Security Officer	Security Purchase/ Installation of X-Ray Baggage Inspection	1000	1000	NIL	-1000	For making payment to contractor	RAO-13 Budget/
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				System						SA-I / Fin(B)/ D-565 Dated 19.03.2014
From	53.410.80.00	6/3	310 Fire Officer	Augmentation of Semi Addressable Fire Alarm and Detection System at Office Cum Residential Complex in Various Colonies	2500	2500	NIL	-2500		
To	53.410.80.00	6/1	310 Fire Officer	Fire Fighting Arrangement in Municipal Building	10000	10000	13500	3500		
TOTAL					68650	68650				

ITEM NO. 04 (L – 09)**1. Name of the Subject :-**

Operation and maintenance of Five Star Hotel Premises at 1, Man Singh Road after the expiry of the extended period on 31st March, 2014.

2. Name of the Department :-

Estate-I Department.

3. Brief History of the Subject :-

The matter was placed before the Council in its meeting held on 07.10.2013. A copy of the Agenda Item alongwith Council's Resolution is annexed at **Annexure-I (see pages 26-30)**. The Council had resolved as under :-

"The existing arrangement as per Council's Resolution dated 27th September, 2012 is available upto 10.10.2013. Since the instructions of the Ministry of Home Affairs consequent upon the opinion of the Solicitor General

of India, as required by this Council Meeting on 27.06.2013, has not been received, the Council resolved that the existing arrangement for payment of licence fee should continue till 31.03.2014, or till the Council takes a decision on receipt of such opinion, whichever is earlier.

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

Since instructions in this regard had not been received, a D.O. letter dated 14.02.2014 was issued to Joint Secretary, Ministry of Home Affairs **Annexure-II (See page 31)** to help the NDMC to finalize and implement the decision on Hotel building at 1, Man Singh Road which is pending for a long time.

The instructions of the M.H.A. are not expected before the 31.03.2014 and as such further instructions of the Council are sought in the matter. It is understood that the Ld. Solicitor General is in process of finalising the advice to be rendered to M.H.A. through the Ministry of Law & Justice.

COUNCIL'S DECISION

Council resolved that, at this moment, four months extension w.e.f. 01.04.2014 is granted. Thereafter decision will be taken in due course.

Annexure – I**ITEM NO. 18 (L-03) dated 07.10.2013****1 Name of the Subject:**

Operation and maintenance of Five Star Hotel Premises at 1, Man Singh Road after the expiry of the extended period on 10th October, 2013.

2 Name of the Department:

Estate-I Department

3. Brief History of the Subject:

A land measuring 3.78 Acres at 1, Man Singh Road alongwith structure was offered to NDMC by the Ministry of Works & Housing for constructing a hotel for making it available for the PATA Conference . India Hotel Company Ltd.(IHCL) approached the New Delhi Municipal Committee to collaborate in construction of the hotel. After executing the Collaboration Agreement, a licence deed was also executed between the New Delhi Municipal Committee and IHCL. The licence was commenced w.e.f. 11.10.1978 for a period of 33 years up to 10.10.2011. The matter was placed before the Council in its meeting held on 7.10.2011 wherein Council resolved as under:

“(i) to accord sanction for extension of existing collaboration project and lease deed for one year upto 10.10.2012, subject to the condition that the Indian Hotel Corporation (IHC) shall agree to pay licence fee as per mutually agreed terms and conditions retrospectively w.e.f. 11.10.2011.

“(ii) to accord sanction for further review and action in accordance with the decision of Ministry of Urban Development, the legal advice, the Committee’s recommendations & Consultant’s reports.

The Council also directed that the Deptt. should workout the timelines for completing the above exercise and the Council be informed of the progress.

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

Further the Council vide Resolution No. 08(L-01) dated 25.7.2012 resolved as under:

"After considering the facts and circumstances of the case, it was resolved by the Council by majority, that the Council may charge from the Licensee, M/s IHC Ltd. License Fee @ of 17.25% of the Gross Turnover or Rs.21 Crores a year for the period from 11.10.2011 to 10.10.2012, whichever is higher.

The Council further directed that the final report of the Consultant appointed to recommend further course of action be brought before the Council at the earliest.

It was also resolved by the Council that further action in the matter be taken by the department in anticipation of confirmation of the minutes by the Council"

The Council vide Resolution No.09(E-03) dated 27.9.2012 further resolved as under:

"The Council carefully considered all the facts placed before it in the Agenda Item, including the Annexures, and noted that IHC not only has a clean record in its dealing with the Council, but has also made regular payments of license fee to it till date and that there are no disputes between the Council and the License (IHC Ltd.).

After discussing at length the pros and cons of the two options proposed in the Item the Council Resolved by majority, to opt for public auction, in a fair and transparent manner, of the N.D.M.C. property at 1, Man Singh Road, with first right of refusal to Indian Hotel Company. The recourse to public auction would serve to determine the market price of the license fee, that IHC would have to match if they wish to run a hotel at this property. This option, the Council noted would also safeguard its revenue interests.

The Council further resolved by majority to extend the period of license of IHC, on existing terms and conditions, for a further period of one year or till such time a new licensee is chosen through the bidding process, whichever is earlier.

That further action may be taken by the department in anticipation of confirmation of the Minutes by the Council.”

Thereafter, in the meeting dated 10.4.2013 RFP was placed before the Council. However, the Council vide Reso. No.07 (L-05) dt. 10.4.2013 has decided to await for copy of the orders in the pending court cases and thereafter the matter would be discussed in the Spl. Meeting of the Council.

Thereafter the MHA vide letter dated 10.5.2013 communicated that “the first right to refusal in the said public auction has not been provided for in the lease deed. A provision of first right to refusal will result in lower bids in the public auction. Therefore, MHA is of the considered opinion that the first right of refusal should not be allowed to IHCL in the proposed auction and fresh lease should be granted by open public auction”.

The matter was again placed before the Council vide Reso. No.07(L-03) dated 27.6.2013 and it was resolved by majority to forward the matter seeking advice of Solicitor General of India through the Ministry of Home Affairs.

The MHA vide letter dt. 6.8.2013 to NDMC show cause as to why a direction be not issued to NDMC to resort to public auction and find the best bidder before the end of October, 2013. This office memorandum has been issued by virtue of the power vested in the Central Government in terms of Section 395 of the NDMC Act, 1994.

As the Council meeting was fixed for 4th September 2013 and the existing arrangement with M/s Indian Hotel Company Ltd. is up to 10th October 2013, it was considered necessary to have the matter expedited in the Ministry of Home Affairs by making a reference to Department of Legal Affairs so that opinion of Solicitor General can be obtained by Ministry of Law at an early date. Accordingly, DO letters dated 29th August 2013 and 3rd September 2013 were sent by the Chairman, NDMC to Jt. Secretary, MHA to have the matter expedited.

A letter no. 14011/12/2013-Delhi-II dated 3rd September, 2013 has been received from the Ministry of Home Affairs conveying that the Ministry has no objection to referring the matter to the Solicitor General of India by NDMC themselves for legal opinion. However, MHA consequently agreed to send the matter for the opinion of Ministry of Law, Deptt. of Legal Affairs and has sought brief note vide letter dt. 1.10.2013 for considered opinion of Solicitor General of India as referred to them by Deptt. of Legal Affairs.

4. Detailed proposal on the Subject:

The period of extended term as submitted above is going to expire on 10.10.2013. The NDMC had already engaged M/s. Ernst & Young to solicit expert consultancy services for providing essential input for the case of hotel Taj Man Singh. However, in due course of time as

explained in the details above, the matter has been kept pending due to various deliberations taking place between MHA and MoUD and even Ministry of Law, Deptt. of Legal Affairs. NDMC has recently through MHA and Deptt. of Legal Affairs, referred the matter to Ld. SGI for opinion which is still awaited(**Annexure-I See pages 238-239**). Hence NDMC is still awaiting MHA directions on the matter. As the time is short and term of extended period is going to expire on 10.10.2013, Council's further directions are sought.

5. Financial implication of the proposed Subject:

They are paying as per Council Resoluton of 25.7.2012.

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

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

Not applicable

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

No Comments

9. Final Comments of the Finance Department (If any):

No comments.

10. Legal implication of the subject:

To be sought.

11. Details of previous Council Resolutions on the subject:

Resolution No.2(L-03) dated 7.10.2011, Resolution dated 25.7.2012, Resolution No. 9 (E-03) dt. 27.09.2012. Reso. No. 07(L005) dt. 10.4.2013. Reso. No. 07(L-03) dated 27.6.2013..

12. Comments of the Law Deptt on the Subject:

To be sought.

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

The Council may take a decision for the period beyond 10.10.2013.

14. Final Comments of Law Department, (If any):

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

N.A.

16. Recommendations:

The department is ready with RFP and awaiting directions of MHA. The term of the extended period of licence in r/o. Hotel Taj Man Singh is going to expire on 10.10.2013. Hence the matter is placed before the Council for further decision/directions as the extended term is expiring.

COUNCIL'S DECISION

The existing arrangement as per Council's Resolution dated 27th September 2012 is available upto 10.10.2013. Since the instructions of the Ministry of Home Affairs consequent upon the opinion of the Solicitor General of India, as required by this Council Meeting on 27.6.2013, has not been received, the Council resolved that the existing arrangement for payment of licence fee should continue till 31.3.2014, or till the Council takes a decision on receipt of such opinion, whichever is earlier.

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

ANNEXURE END

ITEM NO. 05 (C-33)**CONTRACTS/SCHEMES INVOLVING AN EXPENDITURE OF RS. 1 LAC BUT NOT EXCEEDING RS. 200 LACS.**

Section 143 (d) of NDMC Act, 1994 provides that every contract involving an expenditure of Rs.1 lac but not exceeding Rs.200 lacs under clause 143 (c) shall be reported to the Council. In pursuance of these provisions, a list of contracts entered/executed upto February, 2014, have been prepared.

A list of the contracts, entered into for the various schemes, is accordingly laid before the Council for information. **(See pages 33 – 39).**

COUNCIL'S DECISION

Information noted.

Annexure 7 pages

Annexure End

ITEM NO. 06 (C-34)**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 January, 2014, had already been included in the Agenda for the Council Meeting held on 26.02.2014.

A report on the status of execution of the ongoing schemes/works awarded upto February, 2014, is placed before the Council for information. **(See pages 41 – 55).**

COUNCIL'S DECISION

Information noted.

Annexure 15 pages

ANNEXURE END

ITEM NO. 07 (E-08)**1. NAME OF THE SUBJECT/PROJECT**

Purchase of 800 nos. of Mobile Community Bins of 1100 Ltr. Capacity (G.I.) for NDMC area in addition to 475 nos. of Mobile Community Bins being purchased from M/s TPS Infrastructure Ltd.

2. NAME OF THE DEPARTMENT/DEPARTMENTS CONCERNED

Public Health Department, NDMC

3. BRIEF HISTORY OF THE SUBJECT/PROJECT

There have been number of complaints which are being received from VVIPs, RWAs and MTAs addressed to Chairman, NDMC regarding broken and dilapidated conditions of Mobile dustbins kept in NDMC area for the purpose of collection of garbage in the area. Broken dustbins are not only a source of menace for stray animals to litter the surrounding area with garbage but also spoil the aesthetic look of NDMC area.

During Sanitation Drive by the Zonal Officers in the NDMC area, the need of the replacement of the dilapidated / broken bins in the area was also emphasized. In one of the recent meeting in the Chairmanship of Hon'ble M.P. Sh. Ajay Maken in which the Chairman, NDMC & Secretary, NDMC were also present along with senior officers of NDMC, the matter regarding replacement of garbage bins was also discussed in length and it was decided that department should make some necessary arrangement for immediate replacement of the dilapidated/broken bins in the NDMC area. During the meeting, Health Department informed that the department has placed a supply order to M/s TPS Infrastructure Ltd. for procurement of 475 nos. of Community Mobile Bins and first lot of supply will be made by the agency by the end of March, 2014. It was further informed that the whole process of call of tender and there after issue of supply order fulfilling all the requisite codal formalities is a time taking process and it was submitted that keeping in view of the urgency of work, department has proposed to procure additional 800 nos. of Community Mobile Bins of 1100 Ltr. Capacity (G.I.) by extending the present contract for the purpose.

4. DETAILED PROPOSAL ON THE SUBJECT/PROJECT

There have been number of complaints are being received from VVIPs, RWAs and MTAs addressed to Chairman, NDMC regarding broken and dilapidated conditions of Mobile dustbins kept in NDMC area for the purpose of collection of garbage in the area. Broken dustbins are not only a source of menace for stray animals to litter the surrounding area with garbage but also spoil the aesthetic look of NDMC area.

Accordingly, the requirement of additional Mobile Bins in the area duly signed by CMO (North) & CMO (South) was obtained. Further the consent of the agency M/s TPS Infrastructure Ltd. for supplying additional 800 Mobile Bins has also been received.

It is, however, pertinent to mention that as per the provisions contained under Clause 17 of the agreement which reads as under:

“MOH shall have absolute right to increase the quantity of the material, even after issuance of the supply order and the supplier shall be bound to supply the material at his quoted rates in this tender for the period upto six months from the date of issuance of supply order as per directions of the MOH”.

In the proposal, it is mentioned that the previous tender was for 475 Community Mobile Bins of 1100 Ltr. Capacity (G.I.). It was duly processed by e-tendering as well as wide publicity through newspapers. After getting the bids, the proposal was duly vetted by Finance Department as well as seen by Law Department. All the codal formalities were observed and then only supply order was given to the L1 firm after the approval of the competent authority. **This tendering process took about 8 months to get final shape.**

Now, the department has observed that a lot of garbage bin trolleys are broken and are in dilapidated condition. Whenever even a small amount of garbage is collected in them its spills outside and gives a very ugly and un-aesthetic look. This is being observed by all the visitors, residents, RWAs, MTAs and various VVIPs staying in NDMC area and giving utmost criticism about the obligatory functions of NDMC i.e. sanitation. If we again do tendering process, the harassment and criticism of the department will be continued. It is worth mentioning here that M/s Ramky, the previous concessionaire was responsible for maintaining and repairing these iron bin trolleys as well as to keep these trolleys in proper condition. Being our first PPP Project, there were some problems in the concession agreement. However, the agreement continued for about 6 ½ year and it is nearly up-to an end. The concessionaire is not maintaining them due to his own constraints. **But for this reason, NDMC is not in a position to bear the criticism of the public everyday.**

Keeping in view of the emergent procurement of 800 nos. additional Mobile Community Bins and paucity of time to fulfill the requisite codal formalities for tendering etc. etc. and thereafter award of the work, it is proposed that department may procure 800 Nos. of Community Mobile Bins of 1100 Ltr. Capacity (G.I.) on the same rates and specifications from the same agency i.e. TPS Infrastructure to whom NDMC has very recently placed supply order vide no. SO (HG)/SA-I/23/13-14 dated 26/02/2014 for purchase of 475 Mobile Bins.

In view of this, it is proposed by the department to procure these iron bin trolleys on war footing and hence there is no other procedure to procure these trolleys immediately but to extend the contract of supplying of these trolleys along with the present continuing supply order. **It is further mentioned that the L1 firm has quoted 1.42% less rates than the estimated costs.**

Moreover, the GFR 176 as well as the Clause no. 17 of the NIT also gives liberty to procure these items by getting approval from the competent authority and financial concurrence.

Now, the proposal is submitted for kind consideration and approval by the competent authority for the followings:-

1. Administrative Approval & Expenditure sanction of the estimate amounting to Rs. 3,27,12,000/- (Three Crore Twenty Seven Lacs Twelve Thousand Only) to purchase 800 nos. of community mobile bins of 1100 Ltr. Capacity(G.I.).
2. Approval to purchase 800 nos. of community mobile bins of 1100 Ltr. Capacity(GI) on the same rates and specifications from the same supplier i.e. M/s TPS Infrastructure to whom NDMC has already placed supply order earlier for purchase of 475 Mobile Bins on 26/02/2014 vide Supply order no. SO(HG)/SA-I/23/13-14.

5. FINANCIAL IMPLICATIONS OF THE PROPOSED PROJECT/SUBJECT

Administrative Approval & Expenditure sanction estimated amounting to Rs. 3,27,12,000/- (Three Crore Twenty Seven Lacs Twelve Thousand Only) to purchase 800 nos. of community mobile bins of 1100 Ltr. Capacity(G.I.) in addition to expenditure on procurement of 475 nos. of . Mobile Community Bins amounting to Rs. 1,94,22,750/- (Rs. One Crore Ninety Four Lacs Twenty Two Thousand Seven Hundred Fifty Only) thus a total of Rs. 5,21,34,750/- (Rs.

Five Crore Twenty One Lacs Thirty Four Thousand Seven Hundred Fifty Only) expenditure sanction and administrative approval is required.

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

Approximate two months

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT.

In this case, the proposal of the Department is to purchase 800 Nos. of Community Dustbins as additional quantity against the supply order of 475 Nos. in the existing agreement on the same rate and terms & conditions from M/s TPS Infrastructure Ltd. The Department has proposed to get these iron bin trolleys on war footing stating that there is no other procedure to procure these trolleys immediately but to extend the contract also referring the need as per the discussions during Sanitation Drive by the Zonal Officers and further in one meeting under the Chairmanship of Hon'ble MP Sh. Ajay Maken where the Chairman, NDMC and Secretary, NDMC were also present with other Senior Officers of NDMC. Finance Department is of the view that the deviation should not be resorted after award of work except when it is essentially required to complete sanctioned scope of work and that too under the provision of the agreement and approval of the competent authority. In this case, the proposal deviation is to the tune of about 170% above the actual quantity in the agreement. The Department has stated that this deviation will be done under Clause 17 of the Agreement. Though, the copy of the agreement has not been found placed on record. However, as per NIT found with record, it has been seen that the Clause 17 stipulates as under:-

"MOH shall have absolute right to increase the quantity of the material, even after issuance of the supply order and the supplier shall be bound to supply the material at his quoted rates in this tender for the period upto six months from the date of issuance of Supply Order as per directions of the MOH".

It is observed that this clause does not prescribe any limit of deviation of additional quantity. Even though, FD feels that it is a large quantity and Department should have gone for fresh tender in a transparent manner for procurement of this large quantity following the codal provision, i.e. proper estimation of actual requirement, A/A & E/S, tendering process etc.

As the proposal has been insisted to be placed before the Council Meeting to be held on 21.03.2014, the Department may place the case before the Council for taking a decision, observing above concern of the Finance Department and also ensuring (i) there is no violation of code of conduct (ii) no undue benefit is given to the existing contractor / supplier and (iii) a certification that rates are reasonable and justified.

8. COMMENTS OF THE DEPARTMENT ON COMMENTS OF FINANCE DEPARTMENT

No Comments

9. FINAL VIEWS OF THE FINANCE DEPARTMENT (IF ANY)

As above

10. LEGAL IMPLICATION OF THE PROJECT

Not applicable

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

NA

12. COMMENTS OF THE LAW DEPARTMENT ON THE SUBJECT/PROJECT

Nil

13. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF LAW DEPARTMENT.

Nil

14. FINAL VIEW OF THE LAW DEPARTMENT (IF ANY)

Nil

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

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16. RECOMMENDATION

It is recommended that A/A & E/S amounting to Rs. 3,27,12,000/- (Three Crore Twenty Seven Lacs Twelve Thousand Only) for the purchase 800 nos. of community mobile bins of 1100 Ltr. Capacity (GI) on the same rates and specifications from the same supplier i.e. M/s TPS Infrastructure Ltd. to whom NDMC has already placed supply order earlier for purchase of 475 Mobile Bins on 26/02/2014 vide Supply order no. SO (HG)/SA-I/23/13-14. This will be in addition to the amount Rs. 1,94,22,750/- (Rs. One Crore Ninety Four Lacs Twenty Two Thousand Seven Hundred Fifty Only) for the purchase of 475 nos. of mobile community bins for which expenditure sanction and administrative approval of competent authority has already been obtained. Thus a total of Rs. 5,21,34,750/- (Rs. Five Crore Twenty One Lacs Thirty Four Thousand Seven Hundred Fifty Only) may kindly be sanctioned and administrative approval be given. Approval may also be accorded to take action on the Council Decision in anticipation of the confirmation of the minutes.

COUNCIL'S DECISION

Council resolved that administrative approval is given for purchase of 800 nos. of Mobile Community Bins after following due process. Health Department should also explore the latest technology options specifically with longer durability, as available in the market at the earliest.

(KUMAR HRISHIKESH)
F.A. / SECRETARY

(JALAJ SHRIVASTAVA)
PRESIDING OFFICER