

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI.

COUNCIL'S MEETING NO. 01/2014-15 DATED 30.04.2014 AT 11-00 A.M.

Arrangement of business

ITEM NO.	SUBJECT	PAGE	ANNEXURE
01 (C-01)	Confirmation and signing of the minutes of the Council's Meeting No. 16/2013-14 held on 21.03.2014.	2	3 - 4
02 (A-01)	Survey Report.SH: Demolition of creche and store at the road connecting Amrita Shergill Marg to Humayun Road.	5 - 7	
03 (A-02)	S/R of roads in NDMC area. Resurfacing of Tilak Lane and Pandara Park under the jurisdiction of R-I Division.	8 - 10	
04 (B-01)	Estimate for replacement of HT panels in Maintenance North area.	11 - 13	14 - 16
05 (B-02)	Replacement of 33KV, SF6, Panel Board with 33KV GIS, DBB Panel Board at 33KV ESS, School Lane. Tender I.D. No. 2013_NDMC_34240_2 (Award of Work: `11,32,20,016/-)	17 - 22	23 - 54
06 (U-01)	Security and Traffic Services/Arrangements at NDMC Premises under Group Contract 'E'.	55 - 58	
07 (U-02)	Security and Traffic Services/Arrangements at NDMC Premises under Group Contract 'F'.	59 - 62	
08 (U-03)	Security and Traffic Services/Arrangements at NDMC Electric Sub-Stations under Group Contract 'G'.	63 - 66	
09 (E-01)	Administrative Approval and Expenditure Sanction of ₹ 500 Lacs for procurement of Allopathic Medicines for the year 2014-15.	67 - 69	70 - 90
10 (M-01)	Revision of user charges of renovated/upgraded Shivaji Stadium, New Delhi.	91 - 96	
11 (M-02)	Corrigendum for Agenda Item No. 02 (K-02) in respect of Refund of user charges in case of Cancellation/ postponement of booking of Talkatora Indoor Stadium, New Delhi.	97	
12 (C-02)	Contracts/Schemes involving an expenditure of Rs.1 Lac but not exceeding Rs.200 lacs.	98	99 - 103
13 (C-03)	Action Taken Report on the status of ongoing schemes/works approved by the Council.	104	105 - 119

SUPPLEMENTARY ITEM			
14 (B-03)	Providing Mechanized Facility Management Services at NDCC Phase-II Block-C.	120 – 124	125 - 128
TABLE ITEMS			
15 (W-01)	Seeking in-principle approval of the Council for continued retention of Consultant Architect for two markets i.e. Khan Market and Gole Market.	129 – 134	135
16 (L-01)	Provisional adoption of Land Rate, review of Policy/guidelines for Freehold Conversion and for change in use from Residential to Commercial in respect of Markets transferred from L&DO.	136 - 139	140 – 146

ITEM NO. 01 (C – 01)

Confirmation and signing of the minutes of the Council's Meeting No. 16/2013-14 held on 21.03.2014. (See pages 3-4)

COUNCIL'S DECISION

Minutes confirmed.

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI

MINUTES OF THE COUNCIL'S MEETING NO. 16/2013-14 HELD ON 21.03.2014,
AT 04-00 P.M. IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.

MEETING NO.	:	16/2013-14
DATE	:	21.03.2014
TIME	:	04-00 P.M.
PLACE	:	PALIKA KENDRA, NEW DELHI.

PRESENT :

- | | | | |
|----|-------------------|---|---------------------------------|
| 1. | Jalaj Shrivastava | - | Presiding Officer / Chairperson |
| 2. | Smt. Tajdar Babar | - | Vice Chairperson |
| 3. | Sh. Ashok Ahuja | - | Member |
| 4. | Sh. I.A. Siddiqui | - | Member |
| 5. | Sh. Suka Ram | - | Member |
| 6. | Sh. Dharmendra | - | Member |
| 7. | Sh. Vikas Anand | - | Secretary |

ITEM NO.	SUBJECT	DECISION
01 (C-32)	Confirmation and signing of the minutes of the Council's Meeting No. 15/2013-14 held on 26.02.2014.	Minutes confirmed and signed.
02 (I-02)	Procurement of HRMS software, Automation of Human Resource Management System for NDMC Employees.	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.

03 (D-07)	Re-appropriation of Funds in Revised Estimates 2013-14.	Resolved that the Re-appropriations in Revised Estimates 2013-14 authorized during 4 th 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.
04 (L-09)	Operation and maintenance of Five Star Hotel Premises at 1, Man Singh Road after the expiry of the extended period on 31 st March, 2014.	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.
05 (C-33)	Contracts/Schemes involving an expenditure of Rs.1 Lac but not exceeding Rs.200 lacs.	Information noted.
06 (C-34)	Action Taken Report on the status of ongoing schemes/works approved by the Council.	Information noted.
07 (E-08)	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.	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.

Sd/-
(KUMAR HRISHIKESH)
F.A. / SECRETARY

Sd/-
(JALAJ SHRIVASTAVA)
PRESIDING OFFICER

ITEM NO. 02 (A-01)**1. NAME OF THE PROJECT**

Subject :- Survey Report.

SH: Demolition of creche and store at the road connecting Amrita Shergill Marg to Humayun Road.

2. NAME OF THE DEPARTMENT

Civil Engineering Department, Road-II Division

3. BRIEF HISTORY OF THE PROJECT

The single storeyed creche & store building located at the road connecting Amrita Shergill Marg to Humayun Road, is to be demolished for road widening under Re-development of Khan Market. Accordingly, an estimate was framed and scrutinized by Planning. It was further directed to process the case on the basis of survey report of immovable property. However, the SE(P) was checked the survey report subject to "AIP and letter to Dir (Education) may be taken care off" In this regard minutes of meeting held in the chamber of Chairperson, NDMC on 13.08.2012, as per note of SE(R-I) the same is being treated as AIP. The Director (Education) has consented with remarks that "creche has been shifted and department has handed over room to EE(BM-III) in April -2010. It is submitted that the department has no objection in demolition". Accordingly survey report was prepared and checked by the Planning with reserve price of Rs.20,000/- for the building to demolished having the book value of Rs.3,11,584/-.

Accordingly the case was submitted to Chairperson for according approval to the Survey Report amounting to Rs. 20,000/- as duly checked by Planning and concurred in by Finance. The same has approved by the Chairperson NDMC on 07.04.2014

4. DETAILED PROPOSAL ON THE SUBJECT / PROJECT

The survey report of the existing building has been prepared and got checked from the Planning & concurred in by the Finance Deptt. Book value for a sum Rs.3,11,584.00 to be written off for creche and store with scrap value of Rs.84,785.00 and reserve price of Rs.20,000.00.

5. FINANCIAL IMPLICATIONS OF THE PROPOSAL

Book Value = Rs.3,11,584.00

Reserve Price =Rs.20,000.00

As checked by Planning Division in accordance with CPWD Manual.

6. IMPLEMENTATION SCHEDULE WITH TIME LIMIT

Before or upto 15.05.2014.

7. COMMENTS OF FINANCE DEPARTMENT ON THE SUBJECT WITH DIARY NO. & DATE

(DY. NO.436/FINANCE/R DATED 14.03.14).

- (i) Department has worked out the capital cost of the building amounting to Rs.3,11,584/- and same has been proposed for survey report while it appears to be written off value of the building. The instant case involves two components, one is the value of the building to be written off and another is fixing of reserve price to be surveyed by the department. Proposal of the department is not clear for which the file has been submitted in Finance Department. Department may clearly bring on record these two components and accordingly submit the proposal.
- (ii) Though department has proposed to demolish the existing creche and store in view minutes of meeting issued by SE(R) on 13.08.2012, but before demolishing the existing building, approval of the competent authority is required. Accordingly,

the department may bring on record the details of the case in the light of Section 6.8 and 6.9 of CPWD Works Manual 2013.

8. REPLY OF DEPARTMENT ON THE COMMENTS OF FINANCE DEPARTMENT (DY. NO.652/FINANCE/R DATED 31.03.14).

Parawise replies of observations of the Finance Deptt. are offered as under:-

- (i) The subject case is submitted for approval of survey report duly checked by the Planning for reserve price amounting to Rs.20,000/- for which tender will be invited among the Contractor/ Kabadi etc.. The book value of building amounting to Rs.3,11,584/- has been checked by Planning. A meeting was held in the Council room on 24.03.14, under the chairmanship of Chairperson regarding the Redevelopment of Khan Market area, the target date for complete demolition of creche is fixed as 15th May.
- (ii) The case is submitted in the light of Section 6.8 & 6.9 of CPWD Works Manual 2013.

9. COMMENTS OF THE FINANCE DEPARTMENT ON THE REPLY OF DEPARTMENT WITH DIARY NO. & DATE

In view of clarification and minutes of meeting taken by Chairperson on 24.03.2014 that creche should be demolished by 15th May 2014, department may process the survey report of building amounting to Rs.20,000/- duly checked by Planning at page-10/N for consideration and approval of the competent authority (vide diary No. 652/Finance dated 07.04.2014).

10. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF FINANCE DEPARTMENT

NIL

11. LEGAL IMPLICATION OF THE PROJECT/SUBJECT

NIL

12. **DETAILS OF PREVIOUS COUNCIL'S RESOLUTION, EXISTING LAW OF PARLIAMENT AND ASSEMBLY OF THIS SUBJECT**

NIL

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

NIL

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

Not Applicable

15. **RECOMMENDATIONS**

The case for demolition of the creche & store at the road connecting Amrita Shergill Marg to Humayun Road is placed before the Council for the approval of the survey report of Book value amounting to Rs.3,11,583.00 to be written off and the reserve price of Rs.20,000.00 as checked by Planning and agreed for consideration by Finance Deptt.. Permission for further action in the matter including tendering and demolition in anticipation of the confirmation of the minutes of the Council be also accorded.

16. **DRAFT RESOLUTION**

Resolved by the Council that the survey report for demolition of the creche & store at the road connecting Amrita Shergill Marg to Humayun Road of Book value amounting Rs.3,11,584.00 be written off from the book and reserved price of Rs.20,000.00 is approved. The permission is accorded to take further action in the matter including tendering and demolition in anticipation of the approval of the minutes of the Council.

COUNCIL DECISION

Resolved by the Council that the survey report for demolition of the creche & store at the road connecting Amrita Shergill Marg to Humayun Road of Book value amounting to `3,11,584.00 be written off from the book and reserved price of `20,000.00 is approved.

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.

ITEM NO. 03 (A-02)

- 1. Name of Project** : **S/R of roads in NDMC area.
Resurfacing of Tilak Lane and Pandara Park
under the jurisdiction of R-I Division.**
- 2. Name of the Department :** Civil Engineering Department, R-I Division.
- 3. Brief History** :
- a. Street and lane in the above said area is situated in a prestigious location of NDMC and lastly resurfaced mostly during June 06 to April 07. In routine inspection it is observed that area is in deteriorated condition as the road surface shows sign of wears and rupture which needs resurfacing/ improvement to maintain an smooth look for safety and to improve riding quality of roads/ lanes of the area and keep in good condition.
 - b. The CRR I was appointed as consultant for evaluation and for suggesting the road improvement measures. The evaluation report from CRR I has been received vide no CRR I/PED/NDMC(R-I)/2011-13 dated 20th Dec.2013.
 - c. After the field investigation, CRR I had recommended 30 mm bituminous concrete at most of the locations and 40 mm Bituminous Concrete at few locations. On Patel Chowk roundabout 40 mm Mastic Asphalt has been recommended by CRR I and for which separate case is processed.
 - d. Number of services are passing through these streets and lanes which requires time to time repairs or connection. The rigid pavement (RMC Road) will be costly as well as raise the level and repairing is difficult. Therefore the resurfacing of

the streets & lanes as recommended by CRRRI are adopted for further work.

4. **Detailed Proposal of the subject/project** : As per the CRRRI recommendation for the following treatments:

(i) 30 mm Bituminous Concrete

(ii) 40 mm Bituminous Concrete

For the lanes and street in the area Tilak Lane, Pandara Park, Shangli Mess, Todermal etc. are prepared for resurfacing the same.

The case is processed for information to the council and to process the PE as per the recommendation of CRRRI.

5. **Financial Implications of the Proposal** : ` 3.68 Corers

6. **Implementation schedule With timelines for such Stage including internal processing** :

- Approval of PE : 30.05.2014
- Approval of DE : 30.06.2014
- Approval of NIT : 15.07.2014
- Award of work : 30.09.2014

Completion of work : Six months after the award of work.

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

8. **Comments of the Department**

- on the comments of the Finance Department** : N.A.
9. **Details of previous council resolution existing Law of Parliament & Assembly on The subject** : N.A.
10. **The comments of Law Department on the subject** : N.A.
11. **Legal implication of the Subject/project** : N.A.
12. **Comments of the Department on the comments of Law Department.** : N.A.
13. **Certification by the department that all central vigilance commission (CVC) guidelines have been followed while processing the case.** : Certified that all relevant CVC guidelines would be followed.
14. **Recommendations** : The case is placed before the council for appraisal the proposal to resurface the streets and lanes in the said area as per CRRRI recommendation for the work "S/R of Roads in NDMC Area. SH.:- Resurfacing of Tilak Lane and Pandara Park under the jurisdiction of R-I Division".
15. **Draft Resolution** : Resolved by the council to keep the information of the proposal for resurfacing

the streets and lane as per CRRI
recommendation for the work "S/R of Roads
in NDMC Area. SH.:- Resurfacing of Tilak
Lane and Pandara Park under the jurisdiction
of R-I Division".

COUNCIL'S DECISION

The Council noted the information for resurfacing the streets and lane as per CRRI recommendation for the work "S/R of Roads in NDMC Area. SH.:- Resurfacing of Tilak Lane and Pandara Park under the jurisdiction of R-I Division".

ITEM NO. 04 (B-01)**1. Name of the subject.**

Estimate for replacement of HT panels in Maintenance North area.

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

NDMC, Chairperson constituted an expert Committee in the year 2005 under the Chairmanship of Sh. Y.P.Singh, Chairman (ECGR Forum NDMC) including Chief Engineer (Elect.) along with representative one each of Electrical Deptt. and Commercial Deptt andP Sh. D.K. Sharma, retired Engineer from the then D.V.B. as its members. This committee had submitted an exhaustive report based on system study, physical inspection of electric sub-stations/system control, deliberations with the field Engineers.

The committee further recommended to address weak points by taking urgent actions not only for replacing of old/obsolete outlived cables/equipment but also for augmentation of transformers, feeders, switchgears and associated equipments to meet the increasing load demand and also provide flexibility in the system.

A number of transformers and cables as found overloaded were also advised to be replaced as a major exercise to relieve the system from overloading and leading to repeated interruptions/burning of cables etc. The job being voluminous, though started but could not take the *pace it was required to due* to lengthy procedures involved in sanctioned of estimates, award of work / purchase and inadequate manpower.

In view of above another committee was constituted by Secretary, NDMC vide office order No. 220/PS/Secretary/D/07 Dt. 23/07/2007 to prepare a road map for the revamping of electrical system in NDMC befitting to the projections upto year 2021 under the overall guidance and convenorship of Sh. Y.P. Singh, Chairman ECGRF.

Accordingly the constituted committee submitted its report in October, 2007 and preliminary estimate for revamping of electrical system of NDMC upto 11 KV amounting to Rs.336.09 crores. Council vide Reso. No. 11(B-15) dated 20-8-08 has accepted/approved the same.

4. Detailed proposal on the subject:

User departments Maintenance North Division has sent a proposal to replace 488 HT panels . As per information/credit sheet received from Maintenance North division, enlisted HT panels have served their useful life. Some of them are old/obsolete, hence prone to frequent tripping, therefore, these HT panels are required to be replaced. All the enlisted Electric Sub-stations were inspected by Executive Engineer Maintenance North Division in length and forwarded to frame the estimate for replacement 488 nos. HT panels.

This case was also discussed in length in the Chamber of Chief Engineer(E-II) in which SE(E-V), SE(E-II), EE(M/N) & EE(E)P-11KV were present. In the meeting it was decided that the proposal of EE(M/N) may be considered and estimate may be framed for replacement of HT panels in Maintenance North area.

Accordingly a Preliminary Estimate amounting to ` 16,57,60,573/- (G), ` 16,02,73,251/-(N) has been framed for Replacement of HT panels in Maintenance North area of NDMC. The credit value of dismantled HT panels are based on the credit sheet provided by the user departments i.e. Maintenance North Division. Estimated amount shall be chargeable to head of account, functional code- 81, major head-490, minor head-90, detail head-12.

5. Financial implications of the proposed project:

Financial Implications in the proposal is anticipated to be `16,57,60,573/- (G) ` 16,02,73,251/-(N)

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

Twelve months

7. Comments of the Finance Department on the subject:

It has been noticed that number of cases for replacement of HT panel have been received in Finance in a piecemeal manner. Hence Deptt. may certify that there is no duplicacy of work.

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

The estimates for replacement of 11KV network i.e. HT panels, LT panels, Cables & Distribution transformers at various Electric Sub-station are being framed after thorough examine of conditions of the equipment , prescribed life / life served and history of the fault occurred.

It is further added that estimates are being made in phase manner in line with Y.P. Singh Committee report accepted by the Council vide resolution item No. 11(B-15) 28.08.2008 in the matter of road map for revamping of electrical system in NDMC area.

It is also confirmed that there is no duplicacy of the work as in the earlier approved estimates, no provision for these equipments / HT panels have been made.

9. Final views of Finance Department:

In view of replies and certification recorded by the Deptt. and recommendations of Fire Deptt. that the provisions taken in the Preliminary Estimate in question for Fire Fighting Arrangements in the proposed Electric Sub-stations are as per the requirement and further in the light of remarks of E.E.(M/N) , that the provision of Civil Works can be deleted from the said Preliminary Estimate as it will be got done from the local Civil Enquiries or from the Contingency taken in the Estimate, **Finance concur in the composite modified Preliminary Estimate amounting to ` 16,02,73,251/-(Rupees Sixteen Crores Two Lakhs Seventy three Thousands Two Hundred Fifty One only) for the work Replacement of HT Panels in Maintenance North area**, if sufficient Budget Provision is available under the relevant Head of Account. Deptt. will ensure that the approval of Delhi Electricity Regulatory Commission, if required, as per the guidelines issued by the regulator, is also obtained before inviting tenders for the work. Requirement of IEM should also be taken care of.

Final reply of the department on the observations of Finance are as under:

Sufficient budget provision will be kept in R.E.-2014-15 and approval of Delhi Electricity Regulatory Commission will be sought before inviting tender for the work. Further, requirement of EIM should be taken care of.

10. Legal implication of the subject:

No legal implication is involved.

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

Council vide Reso. No. 11(B-15) 20.08.2008 (**Annexure I, See pages 14 - 16**)

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

Nil

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

Nil

14. Final view of Law Department [wherever necessary]:

No legal implication is involved in the agenda item to be placed before the Council.

15. Certificate that all Central Vigilance Commission's guidelines have been followed while processing the case:

It is certified that all Central Vigilance Commission (CVC) guidelines have been followed in processing the case.

16. Recommendation:

The Preliminary estimate amounting to `16,57,60,573/-(G) `16,02,73,251/-(N) for replacement of HT Panels in Maintenance North area 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.

17. Draft Resolution:

Resolved by the Council that Administrative Approval and expenditure sanction is granted to the Preliminary Estimate `16,57,60,573/-(G) `16,02,73,251/-(N) for replacement of HT Panels in Maintenance North. Approval is also accorded to take further action in anticipation to confirmation of the minutes of council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the Preliminary Estimate amounting to `16,57,60,573/-(G) ; `16,02,73,251/-(N) for replacement of HT Panels in Maintenance North.

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.

ITEM NO. 11 (B-15) / 20.08.2008

(1) **Name of the work :** Report of the Committee to prepare a Road Map for Revamping electrical system in NDMC constituted vide Office Order No. 220 / PS / Secretary / D / 07 Dt. 23/07/2007 under the overall guidance of Sh. Y.P. Singh.

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

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

Replacement/augmentation of electrical system in NDMC area had not been done as required for the last around 8 to 10 or more years. Due to fast development & appreciable load growth in the area, the system was loaded beyond its full capacity. The equipment had become obsolete. The redundancy in the system had been considerably reduced. The necessity for augmentation has thus become inevitable as also brought out by the Expert Committee on its Report on "Power Supply Position in NDMC area" submitted by Sh. Y.P. Singh – Chairman, Electricity Consumer Grievances Redressal Forum for NDMC in November, 2005. The report was accepted and implemented.

However, to meet the increased load demand and in order to maintain good quality electricity supply for Commonwealth Games 2010, with a long term perspective upto 2020, a Committee was constituted vide Office Order No. 220 / PS / Secretary / D / 07 Dt. 23/07/2007 under the overall guidance of Sh. Y.P. Singh comprising of Sh. P.K.Jain - EE (Plg.), Sh. Vijay Singh – EE (System Control), Sh. V.P.Verma – AEE(Plg.), Sh.Ramesh Chandra – AEE(M/F) & Sh. D.K.Sharma – retired Engineer (DVB) to prepare a road map for the revamp of the electrical system in NDMC area

The report has been examined in the department and is agreed.

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

The above constituted committee has submitted its report and is annexed at ANNEXURE-'A'. The preliminary estimate for revamping electrical system of NDMC upto 11 KV amounts to Rs.336.09 Crores and to augment 66/33 KV network comes to Rs.57.36 Crores besides the system strengthening works amounting to Rs.200 crores (approx.) being carried by POWERGRID on behalf of NDMC.

(5) **Financial implications :** Financial implications in the proposal is anticipated to be Rs. 393.45 Crores. Yearwise requirement of the funds shall be as under :

(Rs. in Crores)			
S.NO.	PROJECT TITLE	2008-09	2009-10
1	Augmentation of 66/33 KV Network	Rs. 37.36	Rs. 20.00
2	Augmentation and strengthening of electrical distribution system in NDMC area.	Rs.186.09	Rs.150.00

(6) **Implementation schedule:** Individual detailed estimate/scheme shall be framed for replacement/augmentation of the transformers, HT/LT panels, HT/LT cables etc. and administrative approval and expenditure sanction of each work shall be obtained separately. Each estimate shall be framed/scrutinized by Planning before seeking administrative approval and expenditure sanction. All the works are likely to be completed by the end of 2009.

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

Finance Deptt. vide Dy. No. 1308/Finance dated 30-5-08 have commented "We have no objection in the Draft Agenda prepared by the Deptt. for placing the report of Expert Committee before the Council".

(8) **Comments of the Deptt.**

The file was submitted to Chairman, NDMC for placing the Draft Agendum before the Council. The Chairman directed to first discuss this case in the Empowered Committee. Accordingly a meeting of the Empowered Committee was held on 25-6-08 in the Council Room. During the meeting, it was confirmed that the anticipated load growth upto 2020 have been taken care of considering the normal load growth based on past practice in NDMC area, known development plans and unforeseen future requirement of load in NDMC. It was also informed that the total funds required for the revamping during 2008-09 are Rs. 223 crores & for the year 2009-10 it will be Rs. 170 crores approx. These figures do not include the cost of works outsourced to M/s POWERGRID. Further, it was also confirmed that the relevant points raised in the report of M/s PTC have been covered in the Y.P. Singh Committee Report and there are no contradictions in the two Reports. The Minutes of the Empowered Committee Meeting have been circulated by Director GA/CS vide No. F.25 (1)/CS/151/2008/D-175 dated 9-7-08.

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

(10) **Details of previous Council Resolution :** NIL

(11) **Comments of Law Deptt. :** Law Deptt. has commented that "At this stage agenda item has no legal implication but this has our concurrence. However, department may ensure that facts and figures are mentioned therein are correct and as per the approval of the competent authority."

(12) **Comments of the Deptt. on the comments of Law Deptt. :** The facts and figures mentioned in the Report are correct and as per the approval of the competent authority.

(13) **Certification by the Deptt. that all Central Vigilance Commission (CVC) guidelines have been followed :** N.A.

(14) **Recommendation :** The Report of Committee on Road Map for Revamping electrical system in NDMC constituted vide Office Order No. 220 / PS / Secretary / D / 07 Dt. 23/07/2007 under the overall guidance of Sh. Y.P. Singh may be placed before the Council for acceptance and also to accord administrative approval and expenditure sanction of the preliminary estimate for revamping electrical system of NDMC upto 11 KV amounting to Rs.336.09 Crores and to augment 66/33 KV network amounting to Rs.57.36 Crores besides the cost of establishing new grids for which land allotment is in progress amounting to Rs.75 Crores (approx.).

(15) **Draft Resolution** : Resolved by the Council that The Report of Committee on Road Map for Revamping electrical system in NDMC constituted vide Office Order No. 220 / PS / Secretary / D / 07 Dt. 23/07/2007 under the overall guidance of Sh. Y.P. Singh (placed at Annexure-'A') is accepted/approved. The administrative approval and expenditure sanction is accorded for the preliminary estimate for revamping electrical system of NDMC upto 11 KV amounting to Rs.336.09 Crores and to augment 66/33 KV network amounting to Rs.57.36 Crores and the cost of establishing new grids for which land allotment is in progress amounting to Rs.75 Crores (approx.).

COUNCIL'S DECISION

Resolved by the Council to accept the Report of Committee on "Road Map for Revamping electrical system in NDMC" constituted vide Office Order No. 220 / PS / Secretary / D /07 dated 23.07.2007 under the overall guidance of Sh. Y.P. Singh.

It was also resolved to accord administrative approval and expenditure sanction for the preliminary estimate for revamping of electrical system of NDMC, upto 11 KV, amounting to Rs.336.09 crores and to augment 66/33 KV network amounting to Rs.57.36 crores, in addition to the cost of establishing new grids, for which land allotment is in progress, amounting to Rs.75 crores (approx.)

ITEM NO. 05 (B-02)

1. **Name of work:** Replacement of 33KV, SF6, Panel Board with 33KV GIS, DBB
Panel Board at 33KV ESS, School Lane.

Tender I.D. No. 2013_NDMC_34240_2

(Award of Work: ₹11,32,20,016/-)

2. **Name of Department**

Electricity Department

3. **Brief History of the proposal.**

ESS School lane is a 66 KV grid sub-station in NDMC area having Extra High Voltage (EHV) switchgear of 66 KV & 33KV system besides HT switchgears of 11 KV systems. Whereas 66 KV system comprises of "Gas Insulated Switchgears"(GIS) of "HOLEC" (Now "SIEMENS") make, the 33 KV system has old SF-6 switchgears of "Kirloskar" make comprising 9 panels, installed in an indoor space of 16m X 8m without any scope of future expansion. These panels, being of old design & technology, are not only voluminous in size, now become rickety, susceptible to frequent breakdowns but also have been posing a serious threat to the safety of maintenance & operation personals. Instances of serious accidents due to arc flash over have been encountered in the past. Frequent breakdowns have been causing interruptions in supply & inconvenience to consumers in areas fed from this grid Sub-Station.

Although these panels have served 22 years of their careful life against prescribed life of 25 yrs, their replacement has been considered imminent on the following counts:-

1. Spare parts of the existing "Kirloskar" make switchgear are not readily available, causing delays in restoration of supply in the event of faults.
2. Frequent breakdowns have been occurring in the existing panels causing disruptions. Details of such events are listed in **Annexure 'A' (See pages 23 – 25)**.
3. Due to obsolete design, utilization of the existing panels is minimum. Although these panels are designed to be DBB, however they are being used in SBB mode to minimize breakdowns due to material failure.

4. Serious accidents have been encountered by the maintenance staff posing serious threat to life of O&M personal.
5. In the year 2001 a committee comprising of CE (E) & CE (E & C) after studying the supply system of foreign cities namely Tokyo, Seoul & Singapore had recommended the use of 33 KV "GIS" switchgear in NDMC system which was duly approved by the Chairman **(Annexure-'B' See pages 26 - 27)**.
6. State of the art compact, maintenance free, safe & technologically advanced.33 KV, GIS switchgears are now available, providing ease of operation, safety of human life & property, free usable space.
7. Two additional panels are required at ESS School Lane, one for receiving supply from 220 KV ESS H.C. Mathur lane & other for providing 33 KV feeder connection to the proposed 33 KV ESS Handloom House. The existing "Kirloskar" board, being voluminous in size, cannot accommodate any additional panel, Whereas in the same available space of 16mX 8m, 15 panels GIS switchgears can be accommodated in place of existing 9 panels.
8. Council vide resolution no. 05 (B-08) dated 25.06.2012 had approved an estimate for the subject work amounting to ` 749.76 Lacs **(Annexure 'C' See pages 28 - 30)**

4. Detailed proposal of the subject

Online, Item rate, e-tenders were invited on 05.12.2012 in two cover system with estimated cost of `7,20,56,841/- for the work of replacement of 33KV, SF6, Panel Board with 33KV GIS, DBB Panel Board at 33KV ESS, School Lane, including Supply, Installation, Testing & Commissioning of 33KV, 15 nos. double bus Bar (DBB) GIS panels board , Battery and Battery charger, DCDB etc including dismantling of existing 33KV panels at ESS School Lane by giving due publicity to the tender through press & as per the codal provisions.

Pre-bid meeting was held on 20.12.2012 with the prospective bidders before opening of the tenders. In response to the tender enquiry, offer of only one firm, M/s. Schneider Electric Infrastructure Ltd. was received on the first call of tender. As participation was inadequate, tenders were re-invited but still only one tender was received. Another pre-bid meeting was held on 23.04.2013 on third call which was attended by M/s. RMS Automation System Ltd., M/s. ABB Ltd., M/s. Schneider Electric Infrastructure Ltd., M/s. Ceekay Engineers & M/s. Siemens Ltd. before the due date of opening of tender. On third call, offers of the following two firms were received on the due date of opening i.e., 06.05.2013.

1. M/s. Schneider Electric Infrastructure Ltd.

2. M/s. Sanchem Engineers Pvt. Ltd.

Documents submitted by above two participating firms were examined in the division as well as in Planning and discussions held in the meeting of Technical Evaluation Committee (TEC). Based on above, both firms were found meeting eligibility criteria as per terms, conditions & technical specifications of NIT. Subsequently with due approval of CE (E-II), financial bids of both the eligible firms were opened on 26.08.2013 and M/s. Schneider Electric Infrastructure Ltd. emerged the L-1 firm at their quoted amount of ` 11,32,20,016/- , which was 57.12% above the estimated cost of ` 7,20,56,841/-.The rates quoted by the L-1 & L-2 firms have been compared with the justified cost which has been prepared in accordance with the Codal provision of CPWD works manual and position is as under:-

Sr. No.	Name of Firm	Quoted Amount (in `)	Remarks
1.	M/s. Schneider Electric Infrastructure Ltd. (L-1 Firm)	11,32,20,016/-	The offer of L-1 firm is 0.38% below the justified cost of `11,36,60,383/-
2.	M/s. Sanchem Engineers Pvt. Ltd. (L-2 Firm)	13,66,89,000/-	The offer of L-2 Firm is 20.26% above the justified cost of ` 11,36,60,383/-

The case has been duly seen by Finance and advised to process the case for consideration of Competent Authority.

Accordingly it is proposed to award the work to the L-1 firm, M/s. Schneider Electric Infrastructure Ltd. amounting to ` 11,32,20,016/- as per the terms and condition of NIT & seek revised A/A & E/S of the tendered amount. The extended validity of the offer of L-1 firm is up to 25.04.2014.

5. Financial Implications

` 11,32,20,016/- (Rupees Eleven Crore Thirty Two Lacs Twenty Thousand sixteen only).

6. Implementation Schedule

08 Months.

7. Comments of the Finance Department

Keeping in view the detailed clarifications brought on record by the department that (i) There are only three limited firms in the Business (ii) The specification in the NIT are neither superfluous nor suited to particular manufacturing firms (iii) No work orders for similar works have been placed by M/s Delhi Transco Limited and other DISCOMS in Delhi for the last three to six months on the basis of which justification can be worked out for this work and (iv) Certification by the department that the lowest tendered rates are reasonable and justified based on the methodology adopted by them, if approved Finance department advised the department to process the case further for consideration and approval for award of work to the lowest tenderer M/s. Schneider Electric Infrastructure Ltd. at their tendered amount of `11,32,20,016/- (Rupees Eleven Crore Thirty Two Lacs Twenty Thousand sixteen only), which has been worked out by the department 57.13% above the estimated cost and 0.38% below the justified cost and checked by the Planning Division at page 67/N. Department to specifically ensure and certify that there has been reasonable and justified substantial variation between the estimated cost of `7,20,56,840/- worked out by them on the basis of budgetary offer of M/s ABB Ltd. dated 16.11.2011 and justified cost of `11,36,60,383/- now worked out based on the budgetary offer of the M/s Siemens and checked by the Planning Division and also that on re-tendering there is no likelihood of getting lowered tendered rates for the work.

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

Finance vide diary No. 01/14 dt. 07.01.2014 has advised the department to process the case further for consideration and approval for award of work to the lowest tendered M/s Schneider Electric Infrastructure Ltd. at their tendered amount of `11,32,20,016 (Rupees Eleven Crore Thirty Two Lacs Twenty Thousand Sixteen Only) subject to the certification of conditions mentioned therein which are certified as under:-

- It is certified that there are mainly three leading international/Global manufacturers dealing in the business of "GIS" worldwide namely M/s. ABB, M/s. Schneider & M/s. Siemens.
- The specifications in the NIT were suited to all the manufacturers as none of them had ever raised any observations on the specification in the pre-bid meeting/ pre tendering meetings, before opening of the tender.

- The estimated cost of ₹7,20,56,840/- was worked out based on the preliminary estimate approved by the Council for this work, vide Resolution number 05 (B-08) dt. 26.06.2012 which was based on the budgetary offer of M/s. ABB Ltd. dt. 16.11.2011. The justification of rates in this tender has also been prepared based on the lowest budgetary offer of other two leading manufacturers (M/s. ABB Ltd., M/s Siemens) besides budgetary offers from authorized dealers of the manufacturers. Based on the justification, prepared in accordance with codal provisions of CPWD Works Manual, the rates offered by the lowest tenderer, being 0.38 % below the justified rates, are found reasonable and justified.
- The L-1 firm M/s. Schneider Electric Infrastructure Ltd. while extending their validity of rates, vide letter dt. 11.12.2013, has informed that their prices are going to increase from 01.01.2014. Though no comments on future trend of prices can be made for these specialized & technologically advanced items, as prices are governed by market dynamics, both nationally and internationally, however considering the budgetary offers of M/s ABB Ltd. dt. 16.11.2011, 20.10.2012 & 30.09.2013 and offer of M/s Siemens Ltd., there is every likelihood of the future prices being upwardly.
- It is accordingly proposed that the case may be placed (before the council to award the work of "Replacement of 33KV SF6 Panel Board with 33KV GIS DBB Panel Board at 33KV ESS School Lane" to L-I firm, M/s. Schneider Electric Infrastructure Ltd. at a total cost of ₹11,32,20,016/- (Rupees Eleven Crore Thirty Two Lacs Twenty Thousand sixteen only) on the terms & conditions of NIT and to accord revised administrative approval and expenditure sanction amounting to ₹11,32,20,016/-(Rupees Eleven Crore Thirty Two Lacs Twenty Thousand sixteen only).

9. Legal Implication on the Subject:

NIL

10. Details of previous Council Resolution

Resolution no. 05(B-08) dt. 25.06.2012 for the work of replacement of 33KV SF6 Panel Board with 33KV GIS DBB Panel Board at 33KV ESS School Lane. **(Annexure – 'C' See pages 28 - 30)**

11. Comments of Law Department

It is a tender case and has no law point at present.

12. Comments of the Department on comments of Law Department

Nil

13. Certification by the Department

It is certified that all Central Vigilance Commission (CVC) guidelines have been followed while processing the tender case.

14. Remarks of Secretary

"To explore the option as proposed by the Department at 'X' at para 270 page 94/N to seek the reasons for enhancement of cost with respect to estimated cost from the two firms namely M/s ABB & M/s Siemens (i.e. other than L-1) at the CE (E) level so that further justification of the proposal of the department is arrived at for information of the Council." The proposal was duly approved by Chairman.

Clarifications of department on remarks of Secretary

Clarifications obtained from M/s ABB Ltd. & M/s Siemens Ltd. in support of reasons for price escalation in their offer of September-2013 vis-à-vis estimated cost based on the November-2011 offer of M/S ABB is detailed in their e-mails placed at **Annexure-'E' & 'F'** (See pages 45 – 48) & reproduced as under:-

M/s ABB Ltd:

- **In GIS 80% of the components are imported from Germany. Since there has been major change in the currency i.e. Euro. Price for GIS has increased. In 2011 Euro averaging 62 for the year. Currently Euro is 85. So there has been increase of almost of 28% in import cost for 33KV GIS. Increase in cost due to factors like increase in Labour cost and transportation cost. There has been increase in the cost of relays since relays have imported components.**
- **We would further like to inform that since there has been revision in prices for 2014 because of increase in import cost and increase in Euro cost, So ABB Budgetary offer submitted in 2013 is no longer valid.**

M/s Siemens Ltd.

We would like to inform you that the prices offered by us are higher than your estimate on account of following reasons.

➤ **There has been phenomenal increase in the currency i.e. Euro in which we import the GIS from our principals.**

➤ **The manpower cost/operating cost get increased year on year.**

For the purpose of justification of tendered rates provisions of clause 20.4.3.1 of CPWD Works Manual-2012 have been considered. As per provision of this clause "The justification of tenders should be prepared based on prevailing market rates only and the items used are of specified quantity and conform to standards/ specification laid down in the Tender Document".

Accordingly budgetary offers were sought from the leading manufacturers of GIS namely M/s ABB Ltd & M/S Siemens Ltd besides their authorized agencies. The analysis of rates prepared on the basis of lowest budgetary offer of M/s Siemens Ltd. is placed at **Annexure-'D' (See pages 31 – 44)**. Based on the lowest budgetary offer of M/S Siemens Ltd the justified cost works out to `11,36,60,383/- which is 57.73% above the estimated cost of ` 7,20,56,840/- (based on the budgetary offer of M/s ABB Ltd. dated 16.11.2011) & the offer of L-1 firm amounting to `11,32,20,016/- is 0.38% below the justified cost.

A presentation on the requirement of equipments & present status of works relating to revamping of Electrical System in NDMC approved by council vide item no.11(B-15) of the meeting held on 20.08.2008 are placed at **Annexure-'G'&'H' (See pages 45 – 54)**.

15. Recommendations of the Department

The case may be placed before the council to award the work of "**Replacement of 33KV SF6 Panel Board with 33KV GIS DBB Panel Board at 33KV ESS School Lane**" to L-I firm, M/s. Schneider Electric Infrastructure Ltd. at a total cost of `11,32,20,016/- (Rupees Eleven Crore Thirty Two Lacs Twenty Thousand sixteen only) on the terms & conditions of NIT and to accord revised administrative approval and expenditure sanction amounting to `11,32,20,016/- (Rupees Eleven Crore Thirty Two Lacs Twenty Thousand sixteen only).

The case has also been seen by IEM.

Since the work is of urgent nature, approval may be accorded to award the work in anticipation of the confirmation of minutes of Council meeting in next Council meeting.

16. Draft Resolution

Resolved by the Council that the approval is accorded to award the work of **“Replacement of 33KV SF6 Panel Board with 33KV GIS DBB Panel Board at 33KV ESS School Lane”** to L-I firm, M/s. Schneider Electric Infrastructure Ltd. at a total cost of `11,32,20,016/- (Rupees Eleven Crore Thirty Two Lacs Twenty Thousand Sixteen only) on the terms & conditions of NIT in anticipation of the confirmation of minutes of Council meeting in next Council meeting. Also revised administrative approval and expenditure sanction of `11,32,20,016/- (Rupees Eleven Crore Thirty Two Lacs Twenty Thousand sixteen only) is accorded.

COUNCIL'S DECISION

Resolved by the Council to accord approval to award the work of “Replacement of 33KV SF6 Panel Board with 33KV GIS DBB Panel Board at 33KV ESS School Lane” to L-I firm, M/s. Schneider Electric Infrastructure Ltd. at a total cost of `11,32,20,016/- (Rupees Eleven Crore Thirty Two Lacs Twenty Thousand Sixteen only) on the terms & conditions of NIT, and subject to the approval of the IEM.

Further resolved by the Council to accord revised administrative approval and expenditure sanction of `11,32,20,016/- (Rupees Eleven Crore Thirty Two Lacs Twenty Thousand sixteen only) on the aforesaid terms and conditions.

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 32 pages

Annexure ends

ITEM NO. 06 (U-01)**1. Name of the subject/project**

Security and Traffic Services/Arrangements at NDMC Premises under Group Contract 'E'.

2. Name of the Department/Departments concerned

Security Department

3. Brief history of the subject/project

The Security and Traffic Services at all the Office Premises, Commercial Complexes, Hospitals, Electric Sub Stations, Parks & Gardens etc. owned by the NDMC are being looked after by the Security Department, NDMC. Presently the Security and Traffic Services at most of the NDMC premises are managed by deploying security personnel through private security agencies under various Group Contracts i.e. A to K.

4. Detailed proposal on the subject/project

After following all codal formalities tenders for "Security and Traffic Services/Arrangements at NDMC Premises under Group Contract 'F' were invited by uploading on the website of Delhi Govt., published the tender Notice in the leading Newspapers as per approved policy of the Council, and pasted on NDMC Notice Board as well.

The last date for submission of online tenders/ opening of technical bids was 15.01.2014. Before submission of Tenders, a Pre - Bid meeting was held in the Office of the Chief Security Officer at 12:00 noon on 08.01.2014 wherein the interested party/firm was explained in detail about the terms, conditions and other related issues.

To evaluate the Technical Bids of the bidders who participated in the e- Tendering as per the eligibility criteria fixed in the NIT a Sub-Committee headed by the Chief Security Officer was constituted.

Accordingly on 15.01.2014 in the presence of Sub-Committee Technical Bids for subject mentioned Group was opened.

Following three firms participated through on line e-Tendering:-

S. NO.	NAME OF FIRM/AGENCY
1.	Bimla Enterprises
2.	Good Year Security Service (Regd.)
3.	Calson's Security Services Pvt. Ltd.

The requisite amount of Earnest Money i.e. ` 9,52,314.00 in the shape of Demand Draft has been deposited by firms (mentioned at Sl. No. 1 & 2) vide D.D.No. 264743 dated 08.01.2014 & D.D.No. 032698 dated 13.01.2014 respectively (The scanned copy of the same submitted on line as well). The firm (mentioned at Sl. No. 3) has not submitted the requisite Earnest Money, therefore; Technical Bid was not opened.

For technical evaluation of tenders meetings of Sub-Committee were held on 11.02.2014 and 27.02.2014 and finally on 07.03.2014, Sub-Committee submitted its report duly signed by all members.

As per report following two firms were found eligible for this Group Contract:

S. NO.	NAME OF FIRM/AGENCY
1.	Bimla Enterprises
2.	Good Year Security Service (Regd.)

The report of the Sub-Committee was submitted to competent authority for information and approval. After obtaining approval of the competent authority on 03.04.2014 the Financial Bid of the above eligible firms were opened.

Apropos on-line generated comparative statement, the rates (including Service Charges) quoted by the firms per annum are worked out, which are as under:-

S. No.	Name of Firm/Agency	Rate Quoted (per annum)
1.	Good Year Security Service (Regd.)	2,27,62,368.36
2.	Bimla Enterprises	2,28,79,053.84

M/s Good Year Security Service (Regd) has quoted 9.95% Service Charges and emerged as **L1** (lowest one).

The total quoted amount is `2,27,62,368.36 per annum making a total of `4,55,24,736.72 for two years. The rates quoted are 4.39% below the Estimated/Justified Cost of `4,76,15,687.00. Accordingly rates quoted by the firm seem to be reasonable and workable.

In view of position explained above, the case was forwarded to Finance Department for concurrence to award the Group Contract 'E' for Security and Traffic Services/Arrangements at NDMC Premises to M/s Good Year Security Service (Regd.) at their quoted amount of `2,27,62,368.36 (Rupees Two crore twenty seven lakh sixty two thousand three hundred sixty eight and paise thirty six only) per annum for a period of two years which comes to a total of `4,55,24,736.72 (Rupees Four crore fifty five lakh twenty four thousand seven hundred thirty six and paise seventy two only) as per terms & conditions of NIT.

5. Financial implications of the proposed project/subject

The financial implication of the proposal works out to `4,55,24,736.72 for two years (i.e. `2,27,62,368.36per annum).

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

Two years from the date of deployment.

7. Comments of the Finance department on the subject

1. The department may clarify that the tender rates submitted by the firm in the name of Bhola Thakur instead of the firm M/s Bimla Enterprises in r/o L-2. Why this so.
2. Department may clarify why the Estimated Cost put to tender is more than the Annual Estimate amount given in the resolution of the council.
3. Justification of rates may be prepared and placed on record.
4. Department may ensure that a maximum of two Security Group Contract will be awarded to one bidder in NDMC as per clause 4 of the NIT.
5. Department may certify that the data and information are correct.

6. Department may bring on record the documents with regard to approval of NIT.
7. All the documents of NIT are to be authenticated by CSO.
8. Whether service charges is included in tender amount or not.
9. Department may ensure the sufficient budget provision in chart of account.

8. Comments of the department on comments of Finance Department

1. It is certified that Bhola Thakur is the sole Proprietor of M/s Bimla Enterprises and the Digital Signature for participating in e-tendering is in his name. All the documents uploaded by using this Digital Signature is in the name of M/s Bimla Enterprises. Hence; the rates quoted against the name of Bhola Thakur is of the firm M/s Bimla Enterprises only (i.e. L-2 firm).
2. It is clarified that the Estimated Cost put to tender is more than the Annual Estimate owing to the reason that Minimum Wages were revised w.e.f. 01.10.2013 i.e. after approval of Annual Estimate by the Council (October 2013). Nonetheless; as per Council Resolution the Estimate will get automatically revised as per revision of Minimum Wages from time to time - vide notification of GNCTD.
3. Justification in the instant case is not required owing to the reason that Estimated Cost is based on the prevailing Minimum Wages rates notified vide F.No.12(142)/02/MW/VII/3124 dated 03.10.2013.
4. It is ensured that Clause 4 of the NIT is complied with i.e. award of not more than two security Group Contracts to one bidder.
5. It is certified that the data and information based on available records are correct.
6. File w.r.t. approval of NIT is added.
7. Each & every page of the NIT has been authenticated by the CSO.
8. It is clarified that Service Charges are included in the tender amount.
9. It is certified that sufficient funds are available in Head of Account -2201103 (Security).

9. Final views of Finance Department

Concurred in the proposal of the department.

10. Legal implication of the subject/project

No legal issue.

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

Council's Resolution No. 09 (U-01) dated 07.10.2013.

12. Comments of the Law Department

Law Department observed that no law point is involved, so no comments can be offered by this department. Department is to process the case administratively, after following the necessary CVC guidelines.

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

It is certified that all requisite guidelines of the CVC have been followed while processing the case.

14. Final view of Law Department (wherever necessary)

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

It is certified that all requisite guidelines of the CVC have been followed while processing the case.

16. Recommendation:

The Group Contract 'E' for Security and Traffic Services/Arrangements at NDMC Premises be awarded to M/s Good Year Security Service (Regd.) at their quoted amount of `2,27,62,368.36 (Rupees Two crore twenty seven lakh sixty two thousand three hundred sixty eight and paise thirty six only) per annum for a period of two years which comes to a total of `4,55,24,736.72 (Rupees Four crore fifty five lakh twenty four thousand seven hundred thirty six and paise seventy two only) as per terms & conditions of NIT.

Further; department may be allowed to award the tender for Group Contract 'E' in anticipation of confirmation of minutes of the meeting of the Council.

COUNCIL'S DECISION

Resolved by the Council that to approve the Group Contract 'E' for Security and Traffic Services/Arrangements at NDMC Premises and the work be awarded to M/s Good Year Security Service (Regd.) at their quoted amount of `2,27,62,368.36 (Rupees Two crore twenty seven lakh sixty two thousand three hundred sixty eight and paise thirty six only) per annum for a period of two years which comes to a total of `4,55,24,736.72 (Rupees Four crore fifty five lakh twenty four

thousand seven hundred thirty six and paisa seventy two only) as per terms & conditions of NIT and subject to approval of the IEM.

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.

ITEM NO. 07 (U-02)**1. Name of the subject/project**

Security and Traffic Services/Arrangements at NDMC Premises under Group Contract 'F'.

2. Name of the Department/Departments concerned

Security Department

3. Brief history of the subject/project

The Security and Traffic Services at all the Office Premises, Commercial Complexes, Hospitals, Electric Sub Stations, Parks & Gardens etc. owned by the NDMC are being looked after by the Security Department, NDMC. Presently the Security and Traffic Services at most of the NDMC premises are managed by deploying security personnel through private security agencies under various Group Contracts i.e. A to K.

4. Detailed proposal on the subject/project

After following all codal formalities tenders for "Security and Traffic Services/Arrangements at NDMC Premises under Group Contract 'F' were invited by uploading on the website of Delhi Govt., published the tender Notice in the leading Newspapers as per approved policy of the Council, and pasted on NDMC Notice Board as well.

The last date for submission of online tenders/ opening of technical bids was 15.01.2014. Before submission of Tenders, a Pre - Bid meeting was held in the Office of the Chief Security Officer at 12:00 noon on 08.01.2014 wherein the interested party/firm was explained in detail about the terms, conditions and other related issues.

To evaluate the Technical Bids of the bidders who participated in the e- Tendering as per the eligibility criteria fixed in the NIT a Sub-Committee headed by the Chief Security Officer was constituted.

Accordingly on 15.01.2014 in the presence of Sub-Committee Technical Bids for subject mentioned Group was opened.

Following two firms participated through on line e-Tendering:-

S.NO.	NAME OF FIRM/AGENCY
1.	Good Year Security Service (Regd.)
2.	Jatayu Enterprises Services

The requisite amount of Earnest Money i.e. ` 9,20,983.00 in the shape of Demand Draft has been deposited by both firms vide D.D.No. 032699 dated 13.01.2014 & D.D.No. 264741 dated 08.01.2014 respectively (The scanned of the same submitted on line as well).

For technical evaluation of tenders meetings of Sub-Committee were held on 11.02.2014 and 27.02.2014 and finally on 07.03.2014, Sub-Committee submitted its report duly signed by all members.

As per report following two firms were found eligible for this Group Contract:

S.NO.	NAME OF FIRM/AGENCY
1.	Good Year Security Service (Regd.)
2.	Jatayu Enterprises Services

The report of the Sub-Committee was submitted to competent authority for information and approval. After obtaining approval of the competent authority on 03.04.2014 the Financial Bid of the above eligible firms were opened.

Apropos on-line generated comparative statement, the rates (including Service Charges) quoted by the firms per annum are worked out, which are as under:-

S. No.	Name of Firm/Agency	Rate Quoted (per annum)
1.	Jatayu Enterprises Services	2,08,25,295.60
2.	Good Year Security Service (Regd.)	2,22,23,718.48

M/s Jatayu Enterprises Service has quoted 4.19%,4.14 & 4.01% Service Charges for Sl. No. 1,2 & 3 respectively and emerged as **L1** (lowest one).

The total quoted amount is `2,08,25,295.60 per annum making a total of ` 4,16,50,591.20 for two years. The rates quoted are 9.55% below the

Estimated/Justified Cost of ₹4,60,49,147.00. Accordingly rates quoted by the firm seem to be reasonable and workable.

In view of position explained above, the case was forwarded to Finance Department for concurrence to award the Group Contract 'F' for Security and Traffic Services/Arrangements at NDMC Premises to M/s Jatayu Enterprises Services at their quoted amount of ₹2,08,25,295.60 (Rupees Two crore eight lakh twenty five thousand two hundred ninety five and paise sixty only) per annum for a period of two years which comes to a total of ₹4,16,50,591.20 (Rupees Four crore sixteen lakh fifty thousand five hundred ninety one and paise twenty only) as per terms & conditions of NIT.

5. Financial implications of the proposed project/subject

The financial implication of the proposal works out to ₹4,16,50,591.20 for two years (i.e. ₹2,08,25,295.60 per annum).

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

Two years from the date of deployment.

7. Comments of the Finance department on the subject

1. Department may clarify that the tender rates submitted by the firm in the name of Bimla Thakur instead of the firm M/s Jatayu Enterprises in r/o L-1. Why this so.
2. Department may clarify why the Estimated Cost put to tender is more than the Annual Estimate amount given in the resolution of the council.
3. Justification of rates may be prepared and placed on record.
4. Department may ensure that a maximum of two Security Group Contract will be awarded to one bidder in NDMC as per clause 4 of the NIT.
5. Department may certify that the data and information are correct.
6. Department may bring on record the documents with regard to approval of NIT.
7. All the documents of NIT are to be authenticated by CSO.
8. Whether service charges is included in tender amount or not.
9. Department may ensure the sufficient budget provision in chart of account.

8. Comments of the department on comments of Finance Department

1. It is certified that Bimla Thakur is the sole Proprietor of M/s Jatayu Enterprises and the Digital Signature for participating in e-tendering is in her name. All the documents uploaded by using this Digital Signature is in the name of M/s Jatayu Enterprises Services. Hence; the rates quoted against the name of Bimla Thakur is of the firm M/s Jatayu Enterprises Services (i.e. L-1 firm).
2. It is clarified that the Estimated Cost put to tender is more than the Annual Estimate owing to the reason that Minimum Wages were revised w.e.f. 01.10.2013 i.e. after approval of Annual Estimate by the Council (October 2013). Nonetheless; as per Council Resolution the Estimate will get automatically revised as per revision of Minimum Wages from time to time - vide notification of GNCTD.
3. Justification in the instant case is not required owing to the reason that Estimated Cost is based on the prevailing Minimum Wages rates notified vide F.No.12(142)/02/MW/VII/3124 dated 03.10.2013.
4. It is ensured that Clause 4 of the NIT is complied with i.e. award of not more than two security Group Contracts to one bidder.
5. It is certified that the data and information based on available records are correct.
6. File w.r.t. approval of NIT is added.
7. Each & every page of the NIT has been authenticated by the CSO.
8. It is clarified that Service Charges are included in the tender amount.
9. It is certified that sufficient funds are available in Head of Account -2201103 (Security).

9. Final views of Finance Department

Concurred in the proposal of the department.

10. Legal implication of the subject/project

No legal issue.

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

Council's Resolution No. 09 (U-01) dated 07.10.2013

12. Comments of the Law Department

Law Department observed that no law point is involved, so no comments can be offered by this department. Department is to process the case administratively, after following the necessary CVC guidelines.

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

It is certified that all requisite guidelines of the CVC have been followed while processing the case.

14. Final view of Law Department (wherever necessary)

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

It is certified that all requisite guidelines of the CVC have been followed while processing the case.

16. Recommendation:

The Group Contract 'F' for Security and Traffic Services/Arrangements at NDMC Premises be awarded to M/s Jatayu Enterprises Services at their quoted amount of ` 2,08,25,295.60 (Rupees Two crore eight lakh twenty five thousand two hundred ninety five and paise sixty only) per annum for a period of two years which comes to a total of ` 4,16,50,591.20 (Rupees Four crore sixteen lakh fifty thousand five hundred ninety one and paise twenty only) as per terms & conditions of NIT.

Further; department may be allowed to award the tender for Group Contract 'F' in anticipation of confirmation of minutes of the meeting of the Council.

COUNCIL'S DECISION

Resolved by the Council to approve the Group Contract 'F' for Security and Traffic Services/Arrangements at NDMC Premises and the work be awarded to M/s Jatayu Enterprises Services at their quoted amount of ` 2,08,25,295.60 (Rupees Two crore eight lakh twenty five thousand two hundred ninety five and paise sixty only) per annum for a period of two years which comes to a total of ` 4,16,50,591.20 (Rupees Four crore sixteen lakh fifty thousand five hundred ninety one and paise twenty only) as per terms & conditions of NIT and subject to approval of the IEM.

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.

ITEM NO. 08 (U-03)**1. Name of the subject/project**

Security and Traffic Services/Arrangements at NDMC Electric Sub-Stations under Group Contract 'G'.

2. Name of the Department/Departments concerned

Security Department

3. Brief history of the subject/project

The Security and Traffic Services at all the Office Premises, Commercial Complexes, Hospitals, Electric Sub Stations, Parks & Gardens etc. owned by the NDMC are being looked after by the Security Department, NDMC. Presently the Security and Traffic Services at most of the NDMC premises are managed by deploying security personnel through private security agencies under various Group Contracts i.e. A to K.

4. Detailed proposal on the subject/project

After following all codal formalities tenders for "Security and Traffic Services/Arrangements at NDMC Electric Sub-Stations under Group Contract 'G' were invited by uploading on the website of Delhi Govt., published the tender Notice in the leading Newspapers as per approved policy of the Council, and pasted on NDMC Notice Board as well.

The last date for submission of online tenders/ opening of technical bids was 15.01.2014. Before submission of Tenders, a Pre - Bid meeting was held in the Office of the Chief Security Officer at 12:00 noon on 08.01.2014 wherein the interested party/firm was explained in detail about the terms, conditions and other related issues.

To evaluate the Technical Bids of the bidders who participated in the e- Tendering as per the eligibility criteria fixed in the NIT a Sub-Committee headed by the Chief Security Officer was constituted.

Accordingly on 15.01.2014 in the presence of Sub-Committee Technical Bids for subject mentioned Group was opened.

Following three firms participated through on line e-Tendering:-

S. NO.	NAME OF FIRM/AGENCY
1.	Bimla Enterprises
2.	Jatayu Enterprises Services
3.	Good Year Security Service (Regd.)

The requisite amount of Earnest Money i.e. `8,29,263.00 in the shape of Demand Draft has been deposited by all firms vide D.D.No. 203960 dated 08.01.2014, D.D. No. 264733 dated 08.01.2014 & D.D.No. 032700 dated 03.01.2014 respectively (The photocopy of the same submitted on line as well).

For technical evaluation of tenders meetings of Sub-Committee were held on 11.02.2014 and 27.02.2014 and finally on 07.03.2014, Sub-Committee submitted its report duly signed by all members.

As per report all the three firms were found eligible for this Group Contract:

S. NO.	NAME OF FIRM/AGENCY
1.	Bimla Enterprises
2.	Jatayu Enterprises Services
3.	Good Year Security Service (Regd.)

The report of the Sub-Committee was submitted to competent authority for information and approval. After obtaining approval of the competent authority on 03.04.2014 the Financial Bid of the above eligible firms were opened.

Apropos on-line generated comparative statement, the rates (including Service Charges) quoted by the firms per annum are worked out, which are as under:-

S. No.	Name of Firm/Agency	Rate Quoted (per annum)
1.	Bimla Enterprises	1,87,32,479.88

2.	Jatayu Enterprises Services	1,87,47,325.32
3.	Good Year Security Service (Regd.)	2,01,90,762.36

M/s Bimla Enterprises has quoted 4.05%,4.2% & 3.9% Service Charges for Sl. No.1,2 & 3 respectively and emerged as **L1** (lowest one).

The total quoted amount is `1,87,32,479.88 per annum making a total of `3,74,64,959.76 for two years. The rates quoted are 9.64% below the Estimated/Justified Cost of `4,14,63,173.00. Accordingly rates quoted by the firm seem to be reasonable and workable.

In view of position explained above, the case was forwarded to Finance Department for concurrence to award the Group Contract 'G' for Security and Traffic Services/Arrangements at NDMC Electric Sub-Stations to M/s Bimla Enterprises at their quoted amount of ` 1,87,32,479.88 (Rupees One crore eighty seven lakh thirty two thousand four hundred seventy nine and paise eighty eight only) per annum for a period of two years which comes to a total of `3,74,64,959.76 (Rupees Three crore seventy four lakh sixty four thousand nine hundred fifty nine and paise seventy six only) as per terms & conditions of NIT.

5. Financial implications of the proposed project/subject

The financial implication of the proposal works out to `3,74,64,959.76 for two years (i.e. `1,87,32,479.88 per annum).

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

Two years from the date of deployment.

7. Comments of the finance department on the subject

1. The department may clarify that the tender rates submitted by the firm in the name of Bholu Thakur instead of the firm M/s Bimla Enterprises in r/o L-1 and also in the case of L-2 the firm name shown as Bimla Thakur instead of M/s Jatayu Enterprises Services. Why this so.

2. Department may clarify why the Estimated Cost put to tender is more than the Annual Estimate amount given in the resolution of the council.
3. Justification of rates may be prepared and placed on record.
4. Department may ensure that a maximum of two Security Group Contract will be awarded to one bidder in NDMC as per clause 4 of the NIT.
5. Department may certify that the data and information are correct.
6. Department may bring on record the documents with regard to approval of NIT.
7. All the documents of NIT are to be authenticated by CSO.
8. Whether service charges is included in tender amount or not.
9. Department may ensure the sufficient budget provision in chart of account.

8. Comments of the department on comments of Finance Department

1. It is certified that Bhola Thakur is the sole Proprietor of M/s Bimla Enterprises and the Digital Signature for participating in e-tendering is in his name. All the documents uploaded by using this Digital Signature is in the name of M/s Bimla Enterprises. Hence; the rates quoted against the name of Bhola Thakur is of the firm M/s Bimla Enterprises only (i.e. L-1 firm).
Similarly Bimla Thakur is the sole Proprietor of M/s Jatayu Enterprises and the Digital Signature for participating in e-tendering is in her name. All the documents uploaded by using this Digital Signature is in the name of M/s Jatayu Enterprises. Hence; the rates quoted against the name of Bimla Thakur is of the firm M/s Jatayu Enterprises (i.e. L-2 firm).
2. It is clarified that the Estimated Cost put to tender is more than the Annual Estimate owing to the reason that Minimum Wages were revised w.e.f. 01.10.2013 i.e. after approval of Annual Estimate by the Council (October 2013). Nonetheless; as per Council Resolution the Estimate will get automatically revised as per revision of Minimum Wages from time to time - vide notification of GNCTD.
3. Justification in the instant case is not required owing to the reason that Estimated Cost is based on the prevailing Minimum Wages rates notified vide F.No.12(142)/02/MW/VII/3124 dated 03.10.2013.
4. It is ensured that Clause 4 of the NIT is complied with i.e. award of not more than two security Group Contracts to one bidder.
5. It is certified that the data and information based on available records are correct.
6. File w.r.t. approval of NIT is added.
7. Each & every page of the NIT has been authenticated by the CSO.
8. It is clarified that Service Charges are included in the tender amount.
9. It is certified that sufficient funds are available in Head of Account -2201103 (Security).

9. Final views of Finance Department

Concurred in the proposal of the department.

10. Legal implication of the subject/project**11. Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject.**

Council's Resolution No. 09 (U-01) dated 07.10.2013.

12. Comments of the Law Department

Law Department observed that no law point is involved, so no comments can be offered by this department. Department is to process the case administratively, after following the necessary CVC guidelines.

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

It is certified that all requisite guidelines of the CVC have been followed while processing the case.

14. Final view of Law Department (wherever necessary)

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

It is certified that all requisite guidelines of the CVC have been followed while processing the case.

16. Recommendation:

The Group Contract 'G' for Security and Traffic Services/Arrangements at NDMC Electric Sub-Stations be awarded to M/s Bimla Enterprises at their quoted amount of ` 1,87,32,479.88 (Rupees One crore eighty seven lakh thirty two thousand four hundred seventy nine and paise eighty eight only) per annum for a period of two years which comes to a total of `3,74,64,959.76 (Rupees Three

crore seventy four lakh sixty four thousand nine hundred fifty nine and paisa seventy six only) as per terms & conditions of NIT.

Further; department may be allowed to award the tender for Group Contract 'G' in anticipation of confirmation of minutes of the meeting of the Council.

COUNCIL'S DECISION

Resolved by the Council to approve the Group Contract 'G' for Security and Traffic Services/Arrangements at NDMC Electric Sub-Stations and the work be awarded to M/s Bimla Enterprises at their quoted amount of ` 1,87,32,479.88 (Rupees One crore eighty seven lakh thirty two thousand four hundred seventy nine and paisa eighty eight only) per annum for a period of two years which comes to a total of `3,74,64,959.76 (Rupees Three crore seventy four lakh sixty four thousand nine hundred fifty nine and paisa seventy six only) as per terms & conditions of NIT and subject to approval of the IEM.

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.

ITEM NO. 09 (E-01)**1. Name of the Subject/Project:**

Administrative Approval and Expenditure Sanction of ₹ 500 Lacs for procurement of Allopathic Medicines for the year 2014-15.

2. Name of the Department/Departments concerned:

Health, (Medical Sector)

3. Brief History of the subject/Project:

NDMC provides medical care including issue of medicines to patients free of cost. This is a proposal for Administrative Approval and Expenditure Sanction of the budgeted amount of ₹ 500 Lacs for the procurement of Allopathic Medicines during the year 2014-15. A sum of ₹ 400 lacs has been allocated under Head of A/C 230/80/47 in the budgetary proposal for the year 2014-15 (BE) for the procurement of allopathic Medicines. Additional budget of ₹100 lacs shall be sought in the RE for the year 2014-15. A sum of Rs.475 Lac was spent on the purchase of Allopathic Medicines during the year 2013-14. The medicines are procured from:

- i) The firms at the rates approved under the Rate Contract by placing supply orders every quarter.
- ii) Kendriya Bhandar especially the medicines required by the employees and their dependents which are not in stock in the Central Medical Store.
- iii) the open market by calling quotations, specially the life saving vital drugs required in emergent cases which are neither under the rate contract and nor are available with the firms registered with NDMC.

4. Detailed proposal on the subject/project.

This is a proposal for Administrative Approval and Expenditure Sanction of the budgeted amount of ₹ 500 Lacs for the procurement of Allopathic Medicines during the year 2014-15. A sum of ₹ 400 lacs has been allocated under Head of A/C 230/80/47 in the budgetary proposal for the year 2014-15 (BE) for the procurement of allopathic Medicines. Additional 100 lakh shall be sought in the RE for 2014-15. A sum of Rs.475 Lac was spent on the purchase of Allopathic Medicines during the year 2013-14. A 5% increase in the expenditure is anticipated in purchase of allopathic medicines. In this respect, the Council vide its resolution no.10 (E-03) dated 07.10.2013 (**Annexure-A, See pages 70 - 72**) had approved the Rate Contract for the purchase of Allopathic Medicines for a period of one year from the date of resolution of council i.e.07.10.2013. The said rate contract is valid upto 06.10.2014. Fresh tender shall be invited for enter into rate contract which shall be applicable on or after 07.10.2014. Separate proposal shall be moved for rate contract. Further, the department is likely to place first quarterly supply orders in the month of May 2014. In addition, the department will have to make local purchase of medicines up to Rs.2 lacs per month from Kendriya Bhandar to discharge its obligations of medical care towards its employees. The consumption of various medicines during the year 2013-14 along with stock position as on 01.04.2014 has been documented in (**Annexure-C, See pages 73 - 75**).

Logistic Management is the function of Medical Department as per council Resolution No.26 (E-6) DT 19/12/2007 (**Annexure-D, See pages 89 - 90**).

5. Financial implication of the proposed project/subject

₹ 500 Lacs

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

The supply order will be placed every quarters based on the rate of consumption of various drugs during the preceding quarter. Normally one month time period is granted from the date of placing of the supply orders for making and completing the deliveries.

7. Comments of the Finance Department on the subjects.

Concurred vide endorsement No.R-698/Finance dated 09.04.2014.

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

Nil

9. Final views of Finance Department.

Already concurred vide no. 629/Finance dated 16.04.2013.

10. Legal implications of the subject

Nil

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

1. Reso. No. 26 (E-06) dated 19.12.2007
2. Reso. No. 02 (E-01) dated 23.05.2013 (**Annexure B, See pages 76 - 88**)
3. Reso. No. 10 (E-03) dated 07.10.2013

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

Nil

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 will be followed.

14. Recommendations.

- a. Administrative Approval and Expenditure Sanction of Preliminary estimate of ₹ 500 Lacs (Rupees Five Hundred Lacs only) for purchase of Allopathic Medicines during the financial year 2014-15. Separate proposal shall be initiated for inviting tender and enter into rate contract w.e.f.07.10.2014 for a period of one year.
- b. Approval to place supply orders every quarter based on requirement during the preceding three months with a provision to place a supplementary order in between if the need so arises, to the firms under the approved rate contract. First supply order shall be issued in the month of May 2014.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to ₹ 500 Lacs (Rupees Five Hundred Lacs only) for purchase of Allopathic Medicines during the financial year 2014-15.

The Council directed that separate proposal should be initiated for inviting tender and enter into rate contract w.e.f. 07.10.2014 for a period of one year.

Further resolved by the Council to accord approval to place supply orders every quarter based on requirement during the preceding three months with a provision to place a supplementary order in between if required, to the firms under the approved rate contract.

ITEM NO. 10 (E-03)/07.10.2013

1. **Subject:** - Approval of Rate Contract for procurement of Allopathic Medicines for one year from the date of approval by the council.

2. **Name of the department:** - Medical Department.

3. **Brief History of the Subject:** - Medical care through its hospitals, dispensaries and MCWC's 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 of cost by NDMC. A sum of Rs. 300/- Lac has been allocated under the head of account 34.230.80.47 in the budgetary estimates for the year 2013-14 for this purpose.

The department had selected/registered 52 firms for a period of three years vide council's resolution no. 02 (E-02), dt: 27.06.2013 (**Annexure 'A'**). The limited tenders were invited through e-procurement system from these 52 registered firms for the rate contract for procurement of Allopathic Medicines (by generic name) for a period of one year from the date of approval by the Council.

4. **Detailed Proposal on the Subject/Project:** - Administrative Approval and Expenditure Sanction amounting to Rs.300 Lac was accorded by the Council vide Reso. No. 02 (E-01) dated 23.05.2013 for procurement of Allopathic Medicines for the year 2013-14 (**Annexure-B**).

Sealed tenders through e-procurement system for the medicines selected by the purchase sub committee were invited from the empanelled firms as per the drug procurement policy of NDMC. Thirty eight firms out of the fifty two 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 (L1) rate for the particular salt/preparation has been recommended for approval (**Annexure 'C'**). The said rate contract shall be valid for a period of 12 months from the date of council's resolution.

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 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 firms for the specified salt/preparation under the rate contract.

7. **Comments of the Finance Department on the Subject:** - Concurred vide no. 2029/Finance/R-MOH t 03.10.2013.

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:** - Resolution No.02 (E-2) dated 27.06.2013 regarding empanelment of firms.
11. **Comments of the Law Department of 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:** - It is certified that all the CVC guidelines have been followed.
14. **Recommendations:** -
- A) Approval of Rate Contract for purchase of Allopathic Medicines for one year from the date of approval by the Council, during the financial year 2013-14 and 2014-2015.
 - B) For sanction of an additional budget of Rs.175/- Lac in Revised Estimate for procurement of Allopathic Medicines during the current financial year 2013-14.

COUNCIL'S DECISION

Resolved by the Council to approve the Rate Contract for purchase of Allopathic Medicines for one year from the date of approval by the Council, during the financial year 2013-14 and 2014-2015, subject to following conditions :

1. Only generic drugs will be procured.
2. The empanelled agencies shall supply the drugs directly.
3. The drugs which are prescribed by the GoI to be procured from the Public Sector Drug Manufacturing companies shall not be procured from private suppliers.

Further it was resolved by the Council to approve an additional budget of Rs.175/- Lac in Revised Estimate for procurement of Allopathic Medicines during the current financial year 2013-14.

ITEM NO. 02 (E-01)/23.05.2013**15. Name of the Subject/Project:**

Administrative Approval and Expenditure Sanction of Rs.300 Lacs for procurement of Allopathic Medicines for the year 2013-14.

16. Name of the Department/Departments concerned:

Health, (Medical Sector)

17. Brief History of the subject/Project:

NDMC provides medical care including issue of medicines to masses free of cost. A sum of Rs.300 lacs has been allocated under Head of A/C 230/80/47 in the budgetary proposal for the year 2013-14 for the procurement of allopathic Medicines. A sum of Rs.299.98 Lac out of the allocated amount of Rs.300 Lacs was spent on the purchase of Allopathic Medicines during the year 2012-13. The medicines are procured from:

- i) the firms at the rates approved under the Rate Contract by placing supply orders every quarter.
- ii) Kendriya Bhandar especially the medicines required by the employees and their dependents which are not in stock in the Central Medical Store.
- iii) the open market by calling quotations, specially the life saving vital drugs required in emergent cases which are neither under the rate contract and nor are available with the firms registered with NDMC.

18. Detailed proposal on the subject/project.

The Council vide its resolution no.04 (E-2) dt. 27.11.2012 (**Annexure-I**) had approved the Rate Contract for the purchase of Allopathic Medicines for a period of one year from the date of execution of agreement. The said rate contract is valid till 17.06.2013. Accordingly, the department is likely to place first quarterly supply orders before the expiry of existing Rate Contract. In addition, the department will have to make local purchase of medicines up to Rs.2 lacs per month from Kendriya Bhandar to discharge its obligations of medical care towards its employees. The consumption of various medicines during the year 2013-14 along with stock position as on 01.04.2013 has been documented in (**Annexure-II**)

Logistic Management is the function of Medical Department as per council Resolution No.26 (E-6) DT 19/12/2007 (**Annexure-III**).

This is a proposal for Administrative Approval and Expenditure Sanction of the budgeted amount of Rs.300 Lacs for the procurement of Allopathic Medicines during the year 2013-14.

19. Financial implication of the proposed project/subject

Rs.300 Lacs

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

The supply order will be placed every quarters based on the rate of consumption of various drugs during the preceeding quarter. Normally one month time period is granted from the date of placing of the supply orders for making and completing the deliveries.

21. Comments of the Finance Department on the subjects.

Concurred vide endorsement No.629/Finance dated 16.04.2013.

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

Nil

23. Final views of Finance Department.

Already concurred vide no. 629/Finance dated 16.04.2013.

24. Legal implications of the subject

Nil

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

Reso. No. 26 (E-06) dated 19.12.2007

Reso. No. 16 (E-01) dated 26.04.2012

26. Comments of the Law Department on the subject/Project.

Nil

27. 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 will be followed.

28. Recommendations.

- a. Administrative Approval and Expenditure Sanction of Preliminary estimate of Rs.300 Lacs (Rupees Three Hundred Lacs only) for purchase of Allopathic Medicines during the year 2013-14.

- b. Approval to place supply orders every quarter based on requirement during the preceeding three months with a provision to place a supplementary order in between if the need so arises, to the firms under the approved rate contract.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to `300 Lacs for purchase of Allopathic Medicines during the year 2013-14.

It was further resolved by the Council to accord approval to place supply orders every quarter, based on requirement during the preceeding three months, with a provision to place a supplementary order in between if the need so arises, to the firms under the approved rate contract.

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 C

76 – 88

Annexure ends

ITEM NO. 26 (E-6)/19.12.2007**1. Name of the Subject / Project.**

Policy regarding role of Finance and Medical Departments for the concurrence of preliminary estimates for the procurement of medical consumables.

2. Name of the department

Health (Medical Sector)

3. Brief history of the subject/project.

At present the quantities of various medical consumables projected by the department for the calculation of preliminary estimates for procurement are subject matter of review by the Finance Department. In the event of divergence of opinion between the departments over the quantities projected in the preliminary estimates, its resolution often takes substantial time which in turn results in delays in procurement. It has necessitated review of the existing system for seeking concurrence of preliminary estimates.

4. Detailed proposal of the subject.

During the deliberations on the expenditure sanction for the procurement of allopathic medicines in the Council meeting dated 17.10.07, it emerged that assignment of definite roles to the various departments involved in the process of procurement of medical consumables shall expedite the process of finalization of the proposals. Accordingly, the following definite roles have been proposed for these departments to avoid over-lapping of functions :

A. Role of the Finance Department for the concurrence of the preliminary estimates and approval of the rate contract.

1. Monitoring of budget allocations so that the expenditure does not exceed the sanctioned allocations.
2. To ensure that the proposed expenditure is for the purpose for which the funds are allocated.
3. That all codal requirements proposed in the General Financial Rules to ensure total transparency, competitiveness, fairness and elimination of arbitrariness in the process of procurement have been observed.
4. Enforcement of efficiency, economy and accountability in the procurement system.
5. That the proper care was taken in the evaluation, selection, ranking the responsive bids and selection of the successful bidder for placing of contract.

B. Role of the Medical Department.

1. Determination of the quantities of the consumables based on fair and justifiable grounds.
2. Proper Inventory Management to avoid over-stocking or short falls.
3. To ensure that there is no wastage of municipal funds on account of mis-use or expiry of supplies or on account of inventory carrying cost due to over-stocking.

5. Financial implications for the proposed subject.

Nil

6. Implementation schedule with time limit for leach stage including internal processing.

N.A.

7. Comments of the Finance Department on the subject.

In the matters of concurrence for quantities and estimated cost, a substantive decision needs to be taken, formulating a policy spelling out the specific point of reference.

8. Comments of the Department on comments of finance dettt.

None.

9. Legal implications of the subject/project.

Nil

10. Details of previous Council Resolutions./Existing Law of Parliament and Assembly on the subject.

None.

11. Comments of the Law Department on the subject.

Nil.

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

None.

13. Recommendations :

The policy formulated in para 5 is noted to Council for information and adoption.

COUNCIL'S DECISION

The policy regarding procurement of Medical consumables as enumerated in para 4 (A) & (B) was noted by the Council.

It was further resolved by the Council that Sh. Mukesh Bhatt, Member of the Council may be associated by the Deptt. in the procurement process.

ITEM NO. 10 (M-01)**1. Name of the Subject/Project :**

Revision of user charges of renovated/upgraded Shivaji Stadium, New Delhi.

2. Name of the Department:

Education Department

3. Brief History of the Subject/Project and proposal in Brief:

Shivaji Stadium is the most prestigious Hockey Stadium of the capital. The Shivaji Stadium has been renovated for Commonwealth Games 2010. The Shivaji Stadium has been booked for Hockey Tournament by various agencies in the past.

The case in hand deals with the revision of charges of renovated/upgraded Shivaji Stadium.

The existing charges were approved by the council vide Resolution. No. 3 (xxvii) dated 28-01-2002. The charges have not been revised since then. It needs to mention that Shivaji Stadium has been renovated upgraded for the CWG 2010.

The existing user charges are as under:-

1.	Ground Charges without Gate Money	Rs. 1000/- per day
2.	Ground Charges with gate Money	Rs. 2500/- per day
3.	Display Of Advertisement	Rs. 2500/- per day
4.	Service Tax	@ 12.36%
5.	Security (Refundable)	Rs. 10,000/- (By Bank Draft)

The case for revision of user charges was submitted on 09-11-2010 by then Manager (Stadia). The then Director (Welfare) ordered to confirm the rates of Major Dhyanchand National Stadium & Karnail Singh Railway Stadium.

The then Jt. Dir. (Well) proposed revised rates on 19-11-10 as under (P-3/N):-

1.	Particular	Existing	Proposed
2.	Ground Charges without Gate Money	Rs. 1000/-	Rs. 3000/-

3.	Ground Charges with Gate Money	Rs. 2500/-	Rs. 7500/-
4.	Display of Advertisement	Rs. 2500/-	Rs. 7500/-
5.	Security (Refundable)	Rs. 10,000/-	Rs. 20,000/-

The case was sent to LA vide note dated 22-11-10 for advise on the above mentioned rates.

LA vide note dated 23-11-10 directed to prepare detailed proposed at (P-4/N)as under.

“Let there be a comparative rate schedule after the stadium has been completed. Is this ready for the use? What are charges for electricity, water and maintenance staff. Are we getting at least these expenses? The proposal has not given any such details. The proposal with detail may be put up to FA for concurrence pl.

A detailed proposal was prepared by the department with proposed user charges including rates of Flood Light charges on per hour basis including proposed terms & conditions. (P5/N to P7/N).

The case was submitted by Jt. Dir. (Welfare.) for approval of Chairperson. But the same was returned without approval.

The case was submitted to FA for concurrence of the above mentioned proposal.

Finance Department concurred the proposal at (P-9/N) as under.

The department is advised to bring on record the operational and maintenance cost alongwith the amount of capital investment for construction of this asset. The user charges should be based on these two components in order to be realistic. The advice tendered by LA on page 4/N be followed in this regard.

Department vide note dated 31-01-12 submitted that for the promotion of the Sports, user charges should not be based on the operational & maintenance cost and the amount of capital investment for construction of the stadium and the cost of these components can be recovered from the players Facility Block of stadium which is being rented out by the NDMC for the commercial purpose.

Finance Department vide note dated 15-02-2012 concurred the proposal at (P-11/N) as under:-

The Department is advised to refer the case to the Finance Department after attending completely the observations made by Finance Department at page 9/N as well as by LA at page 4/N.

As per the advice of Finance Department to follow the advice tendered by LA, U.O. note dated 30-03-12 was sent to Chief Engineer (Civil), Chief Engineer (Electrical) & Director (Commercial). Reminders were also sent to them (P-12/N).

A detailed note was again prepared on 14.09.2012 by the department at (P-15/N-16/N) and a committee consisting of Director (Welfare), Director (Finance), Chief Engineer (C)-I, Chief Engineer (Electric), Sh. Kukoo Walia, Secretary, Jawahar Lal Nehru Hockey Tournament Society was formed and a meeting of all above held on 21.09.12 (minutes of meeting are placed at P-17/N). The committee proposed user charges as under (P-17/N):-

1.	User Charges without Gate Money	Rs. 2000/- per day
2.	User Charges with gate Money	Rs. 5000/- per day
3.	Advertisement Charges	Rs. 2500/- per day
4.	Flood Light Charges	Rs. 5000/- per hour
5.	Security (Refundable)	Rs. 10,000/- (By Bank Draft)

The case was again sent to Finance Department (19-21/N) for concurrence.

Finance Department concurred the proposal as under (P-22/N):-

'The Finance Department vide observations at pages 9/N advised the Department to bring on record the operational and maintenance cost along with the amount of capital investment for construction of this asset to make the user charges realistic providing the information as desired, the Department has decided the user charges which are much below than the rates proposed earlier by the Department itself. Moreover, the basis for fixing such low charges is not clearly specified by the Department. The Department is further advised to refer the case to Finance Department after attending completely the observations made at page 9/N as well as by LA at page 4/N.'

The case for revision of user charges was again submitted by Sh. Omvir Singh, Manager (CS) (P-25/N) for approval of the proposal at P-17/N. The cost of various departments were obtained (P-27/N).

In view of above, the case was submitted to Chairperson NDMC to approve the user charges and terms and condition in respect to Shivaji Stadium as mentioned at (PS19/N to 21/N).

4. Detail proposal on the subject/project :

Hire charges of Shivaji Stadium

1.	User Charges without Gate Money	Rs. 2000/- per day
2.	User Charges with gate Money	Rs. 5000/- per day
3.	Advertisement Charges	Rs. 2500/- per day
4.	Flood Light Charges	Rs. 5000/- per hour
5.	Security (Refundable)	Rs. 10,000/- (By Bank Draft)
6.	Service Tax	Service Tax shall be Charged as applicable on date

Is also been decided that during tournament two rooms (Non-A/c), one for office use and one for store use, at Shivaji Stadium will allotment to the booking party

Terms & Conditions of Shivaji Stadium.

1. Postponement (Upto the period of 3 months for fresh dates) will however be agreed for once only subject to availability of the dates.
2. In the event of any cancellation/postponement sought by the hiring party, charges levied will be as follows :-

S.No.	Time period for Notice of cancellation/postponement	Cancellation charges	Postponement charges
01.	1 month above	25%	10%
02.	15 Days – 1 month	50%	25%
03.	7-14 Days	75%	50%
04.	Less than 7 days	100%	75%

3. Poster/Banner/Publicity material (except pertaining to liquor / cigarette) will be allowed to display after making necessary payment and should not cause any damage to the stadium property.
4. Organizer will responsible to manage the spectators and provide security staff for the same.
5. No space meant for public circulation or Corridors will be blocked.
6. Pitching of tents will not be allowed.
7. The staff of Shivaji Stadium shall have access to all parts of the Stadium building for performance of their duties without hindrance. Duty badges will be provided by the organizer.
8. Selling of Tickets, posting of ushers & management of entrance shall have to be arranged by the hiring party.
9. 10% of invitation cards/complimentary passes/tickets of total seats of each block/each denomination will be handed over to the Stadium Management, NDMC at least one week in advance.
10. If due to any reason or circumstances the stadium is not used on the day/days for which it is booked, no claim for refund/adjustment of hire charges will be entertained.
11. No cooking will be allowed.
12. NDMC will not be liable for any loss of the hirer e.g. cannot use the stadium due to failure of electricity, riot, fire, rain strike, earthquake or any act of war or God.
13. The organizers are advised to arrange necessary medical assistance alongwith medical kit.
14. All licenses and permissions necessary required for holding event/function from Local Administration/Local Bodies or Government Agencies/Police etc. shall be obtained by the hirer. The management shall not be responsible for any lapse on that account.

Payment, if any required to be made for the above shall be borne by the hirer. The hire charges payable to NDMC are exclusive of any of the above.

15. The cost of any damages to Stadium property will be fixed by the concerned Department & will be approved by the Secretary, NDMC, New Delhi.
 16. SMOKING & CONSUMPTION OF ALCOHOL IS STRICTLY PROHIBITED in the Stadium Complex and the ARENA. The organizer hiring the stadium will ensure that this is strictly observed. Suitable sign postings and announcement in this regard will be made by the organizers before and during the show/programme/event.
 17. The organizers will ensure that ARENA as well as Stadium is vacated in stipulated time.
 18. NDMC reserves the right to cancel the allotment at any time without assigning any reason. No damage can be claimed for such cancellation, whatsoever.
 19. No open fire will be allowed within the premises of Shivaji Stadium or change room etc.
 20. Vehicles will be allowed in parking place at earmarked for this purpose.
 21. For managing parking organizer will provide security/marshal staff.
 22. No eatables will be allowed inside the Stadium. In case of violation, the booking parties shall depute their own Safai Karmcharies for cleaning of the Stadium failing which Rs. 2,000/-shall be recovered as cleaning charges.
 23. The Security will be refunded on receipt of application subject to fulfillment of all specified terms & conditions.
5. **Financial implication of the proposed project/subject:**
This item is only for the revision in the hire charges and terms and condition.
 6. **Implementation schedule with timeliness for each stage including internal processing:**
The hire charges of booking of Shivaji Stadium will apply since October 2012.
 7. **Comments of the Finance Department on the subject:**

In view of the clarification given by the Department and views of the Legal Advisor, Finance Department is of the view that the competent authority may consider the proposal of the Department for revision of user charges as proposed by the Department at page 30/N sidelined 'X'.

However, the Department is advised that the revision of these rates may be taken care of on annual basis as instant revision has been proposed with a gap of about 10 years.

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

No Comments required.

9. Legal implication of the subject / project:

No Legal implications.

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

Resolution Council Res. No. 3 (XXVII) dated 28/01/2002

11. Comments of Law Department:-

As per section 12(C), the establishment and maintenance of and aid to, stadia, gymnasium, akhara places for sports and game in NDMC'S discretionary continuing functions. Hence charging of user charges to meet expenses as capital expenditure and maintenance may not be possible.

Council may approve user charges as recommended by this committee set up for the purpose, after due approval/concurrence from Finance.

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

No comments required.

13. Certificate regarding CVC guideline:

Not applicable.

14. Recommendation:

The charges as proposed in Column 3 of Para (4) above are recommended for approval of the Council and to charge the same in anticipation of confirmation of the minutes of Council Meeting.

15. Draft Resolution:

Resolved to approve the proposal as proposed in para 4 of the agenda. Further resolved that the modified terms and condition are also adopted.

COUNCIL'S DECISION

Resolved by the Council to accord approval to the proposal of the department as detailed in para 4 of the preamble along with the modified terms and conditions.

The Council also authorised the Chairperson to reduce the user charges of the Stadium on case to case basis, and also for the events organized by the NDMC.

ITEM NO. 11 (M-02)**1. Name of the Subject/Project :-**

Corrigendum for Agenda Item No. 02 (K-02) in respect of Refund of user charges in case of Cancellation/ postponement of booking of Talkatora Indoor Stadium, New Delhi.

2. Name of the Department:-

Education Department.

3. Brief History of the Subject/Project :-

The user charges and other terms and conditions for the booking of Talkatora Indoor Stadium were approved by the Council Vide its Reso. No. 04 (K-03) dated 14/01/2011.

It is to submitted that at the time of passing the above said resolution, the condition for refund of user charges against Cancellation/ postponement of booking Talkatora Indoor Stadium couldn't included in the agenda.

Further the agenda item No. No. 02 (K-02) dated 07/10/2013 was placed before the Council for decision of refund of user charges in case of Cancellation/ postponement of booking of Talkatora Indoor Stadium New Delhi.

It was added by the council during the meeting dated 07/10/2013 that 'kavi Samelan and Musharya' will be placed in Category 'B'.

But the Council Secretariat decision dated 09/12/2013 as under:-

"Resolved by the Council to approve the proposal as proposed in para 4 of the agenda, subject to condition that the word 'Kavi Samelan & Cultural Programme' be deleted from serial No. 'C 'para 4 and added in serial No. 'B' at para 4. "

The above mentioned council decision may be rectified as under:-

Resolved by the Council to approve the proposal as proposed in para 4 of the agenda, subject to condition that the word 'Kavi Samelan & Musharya' may be included in para 4 serial No. 'B' at instead of para 4 serial No. 'C'.

COUNCIL'S DECISION

Resolved by the Council to approve the proposal of the department as detailed in para 4 of the preamble, subject to condition that the word 'Kavi Samelan & Mushayra' may be included in para 4 serial No. 'B' instead of para 4 serial No. 'C'.

ITEM NO. 12 (C-02)

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 March, 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 99 - 103)**.

COUNCIL'S DECISION

Information noted.

ITEM NO. 13 (C-03)

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 February, 2014, had already been included in the Agenda for the Council Meeting held on 21.03.2014.

A report on the status of execution of the ongoing schemes/works awarded upto March, 2014, is placed before the Council for information. **(See pages 105 - 119).**

COUNCIL'S DECISION

Information noted.

Annexure 105 – 119

Annexure ends

ITEM NO. 14 (B-03)

1. **Name of the Subject: Providing Mechanized Facility Management Services at NDCC Phase-II Block-C**

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

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

Block-C of NDCC Phase-II building is allotted to VVIP Govt. offices namely Ministry of Home Affairs (M.H.A.), National Investigating Agency (N.I.A.) and Advisor to Prime Minister of India etc. Operation & maintenance of various services including mechanized housekeeping work is outsourced to an agency on tendering. The work covers the annual cost of maintenance of these services like mechanized housekeeping work, RMO of DG sets, HVAC system, electrical system & operation of lifts.

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

Estimate amounting to Rs.3,06,77,308/- based on the last approved rate of the subject cited work for annual maintenance contract for the following services in Block 'C' of NDCC Phase-II was accorded administrative approval/expenditure sanction by Council vide Reso. No. 20(B-03) dated 04/09/2013.

- (i) Providing services of 'Mechanized & Automated House Keeping Job' (Including rent for tools & equipment, repair, maintenance & insurance, housekeeping chemicals and consumables & manpower) as per maintenance schedule.
- (ii) Running, maintenance and operation of 'DG Sets' as per the scope of work and maintenance schedule specified.
- (iii) Running maintenance and operation of 'HVAC system' as per the scope of work and maintenance schedule specified.
- (iv) Operation of 'Lifts' as per the scope of work specified.
- (v) Running maintenance and operation of 'Electrical system' as per the scope of work and maintenance schedule specified.

CEE-II accorded technical sanction to the estimate dated 19/09/2013. The draft NIT amounting to Rs.2,97,83,794.00 for the subject cited work approved by CEE-II on 10/12/2013.

Tenders were called for the subject cited work through e-procurement solution and wide publicity accorded in news papers for which due date for opening of bids containing eligibility criteria was fixed on 30/12/2013 at 4.00 P.M. Pre-bid meeting was held on dated 23/12/2013 attended by the representatives of the prospective bidders. No point was however raised by the representatives of the firms as such no amendments were made in the NIT. The bids containing eligibility criteria were opened on due date & time i.e. 30/12/2013 at 4.00 p.m. wherein two firms participated. Both the firms were found eligible for opening of the price bid namely:

1. M/s BVG India Ltd.
2. M/s Swastik Electrotech Pvt. Ltd.

Price bids were opened on 04/02/2014 in presence of EE(E)C-V, EA(E)C-V, JE(E)C-V and representative of both the firms and rates quoted by the firms were found as under:

The details are as under:

S. No.	Name of the firm	Tendered Amount (Rs.)	Remarks
1	M/s BVG India Ltd.	3,14,38,107.00 (L-1)	The rates of the L-1 firm are 3.34% above the justified amount of Rs. 3,04,19,866.00 and 5.55% above the estimated cost of Rs.2,97,83,794.00
2	M/s Swastik Electrotech Pvt. Ltd.	3,38,52,862.00 (L-2)	

As per the comparative statement, rate quoted by L-1 firm is 3.34% above the justified amount and 5.55% above the estimated cost put to tender i.e. 29,783,794.00. The tender case has been checked by planning & AO(E) and found in order.

The rate quoted by L-1 firm i.e. M/s BVG India Ltd. is considered, reasonable, competitive & justified as compared to justified amount and recommended for consideration and to award the work to L-I firm at their quoted rate . Finance vide Dy.No.778/Finance/R-Elect dated 23/04/14 has accorded no objection to the proposal.

5. **Financial Implication:** Rs. 3,14,38,107.00

6. **Implementation Schedule:** 12 months.

7. **Comments of Finance Department:**

Finance observes as under:

Finance has no objection to the proposal of the department for placing the proposal before competent authority for approval to award the tender to Lowest firm i.e. M/s. BVG India Ltd. at their quoted amount of Rs.3,14,38,107/- which is 3.34% above the justified cost and 5.55% above the estimated cost as checked by planning division at P-6/N. However, department may bring on record the reasons for poor response in the tender for last 2 years and may also certify that eligibility criteria, qualification and specification in the NIT was not framed to favor of any particular firm/these two participating firms.

Further, though Estate Deptt. has intimated that license fee is being collected from the licensee of NDCC Phase-II, but it is still not clarified as to whether the amount of L/Fee includes the maintenance cost or not. Department in consultation with Estate Deptt. needs to ensure that maintenance cost is recovered from all the licensee of NDCC Phase-II and a suitable provision for recovery of maintenance cost exist in their license deed. This issue may be taken separately at appropriate level.

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

Finance vide Dy.No.778/Finance/R-Elect dated 23/04/14 has accorded no objection to the proposal of the department for placing the proposal before competent authority for approval to award the tender to the lowest firm i.e. M/s. BVG India Ltd. at their quoted amount of Rs.3,14,38,107/-.

Finance has further advised as under:-

- Department may bring on record the reasons for poor response in the tender for last 2 years and may also certify that eligibility criteria, qualification and specification in the NIT was not framed to favor of any particular firm/these two participating firms.
- **“ Further, though Estate department has intimated that license fee is being collected from the licensee of NDCC Phase-II, but it is still not clarified as to whether the amount of L/Fee includes the maintenance cost or not. Department in consultation with Estate department needs to ensure that maintenance cost is recovered from all**

the licensee of NDCC Phase-II and a suitable provision for recovery of maintenance cost exist in their license deed. This issue may be taken separately at appropriate level. "

Clarifications to the observations of finance is as under:

- 1) In this regard, it is submitted that reply to the observation has already been given at P-52/N at Sr.No.1 reproduced as under:

"Tenders for the subject cited work were invited in conformity with procedures and guidelines of CPWD works manual. Wide publicity through press was given to the tender and press notice was also published in the leading news paper namely all editions of Indian Express, Jansatta and Financial Express as per existing guidelines for publication of NIT in NDMC. The tender was also uploaded on Government of NCT Delhi website. Besides above, press notice was also displayed on notice board in various important locations in NDMC building and sent to offices of various electrical divisions located at various locations in NDMC area. Over and above a pre-bid meeting was also held with prospective bidders dated on 23/12/13 before opening of the tender. But no objections / comments or complaint about tender conditions including eligibility criteria and qualifications have ever been received till date from any one. Thus, the tender case was processed strictly in accordance with the provisions and guidelines of the CPWD works manuals. The participations of M/s BVG India Ltd. and M/s Swastik Electrotech Pvt. Ltd. was conforming to the codal requirement of tendering.

It is not disputed that there are other firms also doing such kind of business in the market, as in the first tender of this work invited in the year 2010, seven firms had participated. In the second tender in the year 2012, three firms participated and the work was awarded to the lowest eligible bidder. Further, this is to bring kind notice that NDCC Phase-II building is occupied by Sensitive & important organization of Government of India namely Ministry of Home Affairs besides National Investigation Agency and the eligibility criteria / qualifications mentioned in the tender were in line with the requirement of services in the building besides being in line with prescribed guidelines as per CPWD works manual. So, neither the conditions of NIT have been tweaked to favour a particular firm nor there was a dilution of the eligibility criteria which would affect quality of services require for proper maintenance of the building at a later stage."

- 2) Director (Estate) vide his observations dated 21/04/14 has already clarified the issue raised by the Finance as per observations on N/55 and reproduced as under:

“Discussed. The query of the Finance Deptt. is that whether the maintenance cost by Providing Mechanized Facility Management Services at NDCC Phase-II Building is being recovered from the licensees besides the license fee. In this regard, it is submitted that premises has been allotted to respective licensees as mentioned

above and at the above given rates. However, it is not feasible to bifurcate the maintenance cost from license fee or ascertain the quantum of maintenance cost realized in view of the information given above. Therefore, the matter may be dealt with accordingly, as per rules. However, amounts of Rs.95.53 crores have been received from M.H.A. for 1st to 5th floor, since 17/11/11 to 19/06/13 upto March 2014 as per table given below:

Floors	Department	L/FEE(PM)	Collection
1 st to 5 th floor (DOA=17/11/11)	Ministry of Home Affairs (MHA)	35939294	877027362
6 th & 7 th floor (DOA=19/06/13)	National Investigation Agency (NIA)	9887840	78311692
	Total	45827134	955339054

Or say Rs.95.53 crores”

However the matter is being taken up with Dir.(Estate)(CP-35) as advised by finance.

9. **Final views of the Finance Department:**

Finance has already seen the case at page 57/N. No further comments.

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

11. **Details of previous Council Resolution, Existing Law of Parliament and Assembly on the subject:** Reso. No. 20(B-03) dated 04/09/2013. (Annexure-A, See pages)

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

13. **Final view of Law Department (wherever necessary)**

Advisor (L&R) has seen the case.

14. **Certificate that all CVC guidelines have been followed, while processing the case:**

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

15. **Recommendations:**

The case may be placed before the Council for approval to award the work of Providing Mechanized Facility Management Services at NDCC Phase-II Block-C to M/s. BVG India Ltd. at their quoted rate of Rs. 3,14,38,107.00 (Three crore fourteen lacs thirty eight thousand one hundred seven only). Since the work is of urgent nature, approval of Council is also solicited to place work order on the firm in anticipation of confirmation of the minutes of Council Meeting.

16 **Draft Resolution:**

Resolved by the Council that approval is accorded to award the work of Providing Mechanized Facility Management Services at NDCC Phase-II Block-C to M/s. BVG India Ltd. at their quoted rate of Rs. 3,14,38,107.00 (Three crore fourteen lacs thirty eight thousand one hundred seven only). Approval is also accorded to place the work order in anticipation to the confirmation of minute of the Council Meeting.

COUNCIL'S DECISION

Resolved by the Council to accord approval to award the work of Providing Mechanized Facility Management Services at NDCC Phase-II Block-C to M/s. BVG India Ltd. at their quoted rate of `3,14,38,107.00 (Three crore fourteen lacs thirty eight thousand one hundred seven only).

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.

ITEM NO. 20 (B-03) / 04.09.2013

1. **Name of the Subject:** **Estimate for Providing Mechanized Facility Management Services at NDCC Phase-II Block-C**

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

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

Block-C of NDCC Phase-II building is allotted to VVIP Govt. offices namely Ministry of Home Affairs (M.H.A.), National Investigating Agency (N.I.A.) and Advisor to Prime Minister of India etc. Operation & maintenance of various services including mechanized house keeping work is outsourced to an agency on tendering. The estimate covers the annual cost of maintenance of these services.

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

An estimate amounting to `3,46,58,258/- based on the last approved rate of the subject cited work for annual maintenance contract has been prepared for the following services in Block 'C' of NDCC Phase-II:

- (i) Providing services of 'Mechanized & Automated House Keeping Job' (Including rent for tools & equipment, repair, maintenance & insurance, housekeeping chemicals and consumables & manpower) as per maintenance schedule.
- (ii) Running, maintenance and operation of 'DG Sets' as per the scope of work and maintenance schedule specified.
- (iii) Running maintenance and operation of 'HVAC system' as per the scope of work and maintenance schedule specified.
- (iv) Operation of 'Lifts' as per the scope of work specified.
- (v) Running maintenance and operation of 'Electrical system' as per the scope of work and maintenance schedule specified.

The estimate is consisting of two parts i.e. Part-A comprising the schedule of work, to be done by Facility Management Agency & Part-B consisting of the cost of special repair.

During examination of the case, Finance advised to delete the provision of special repair from this estimate and advised to deal it separately taking into account the approved norms and has concurred the detailed estimate amounting `3,06,77,308/- vide Dy.No.1614/Finance/R-Elect. dated 30/08/13 with the remark that the department may process the case for consideration of competent authority of grant of AA/ES of `3,06,77,308/-.

5. **Financial Implication:** `3,06,77,308/-

6. **Implementation Schedule:** 12 months.

7. **Comments of Finance Department:**

Finance observe as under:

1. Though at P-10/N, Estate department has stated that space from 1st floor to 7th floor of NDCC Phase-II has been allotted to M/O Home affairs @ of license fee of `232 p.s.ft which includes the maintenance cost, but nothing has been brought on record about realization of license fee. The department is advised to confirm from Estate Department as to whether license fee is regularly being paid, if yes, the total amount of license fee recovered during previous financial year be brought on record.
2. The provision of `38.65 lac kept for Special repair of HVAC Systems, Lifts and Electrical Panels etc needs to be deleted from the estimate as the same cannot be kept in Mechanized Facility Management Services. Moreover, the electrical special repairs in general are whole sale replacement of the wiring/ electrical installations which can be done only after serving of prescribed useful life and keeping in view their working conditions etc. (Provision of chapter 5 of CPWD maintenance manual (copy enclosed) may be referred to.)

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

Before submitting reply to the observation of finance department at P-13/N, it is pertinent to mention here that the subject cited estimate is a "maintenance estimate" of NDCC Phase-II Building, Block-C. It is our primary duty to provide the services to its buildings. It is immaterial to see that whether other department i.e. Estate is or not getting regular revenue from this building which has been rented out to MHA and other govt. departments. Even if regular revenue is not being received from MHA the services (like house keeping works, maintenance & operation of all services) provided at NDCC Phase-II building can not be stopped. However a note was sent to Dir. Estate-I placed on the file vide No.D/299/EE(E)C-V dated 05/08/13 but information still not received and cannot be wait for that.

It may be noted that subject cited estimate was initiated on 05/04/13 but even after passing of four months the estimate is still under process with finance department to concur in the estimate. After concurrence of this estimate, which is still to be done, the subject cited estimate is to be placed before council for administrative approval & expenditure sanctioned. The council meeting is held once in a month between 20th to 25th of each of the month. If this estimate is not concurred timely in August 2013 then most probably the estimate will be put up in the next council meeting to be held in September 2013. In that case approx. one month will be left out in the present contract which is going to be expired in 31st October 2013. The department is pressing hard for getting it finalized before expiry of existing contract. Since all the services as detailed in the estimate has been out sourced, the department will bound to recommend the extension of existing contract till award of new contract which would not be a healthy practice because the services has to be provided uninterrupted at NDCC Ph-II. However, the parawise replies are as under:-

1. As replied above
2. A provision of special repair of `38.65 lacs have taken in the estimate, in case it is required for smooth running/functioning of system. The prescribed life of the equipments is as under:-
 - (i) Sub-station equipments (HT/LT panel) -20 years
 - (ii) Lifts -20 years
 - (iii) Central AC Plant -15 years
 - (iv) DG Sets -15 years

The above equipments/machinery was delivered/installed between 2001 to 2003 and hence useful prescribed life started in the year 2002 however, the completion of the building was recorded in 2010. The useful prescribed life has already been expired approx. 11 years. The provision of special repairs has been taken to keep all the services functioning which are

necessary to avoid any incident and by doing special repair as and when required it increases the life of these equipments/machinery.

The provision of Chapter-V CPWD maintenance manual which has been referred by finance department is general guideline when the things are running smoothly and there are small technical fault. There will be no need for replacement of machinery after expiry of useful life if the department repaired these equipments periodically as and when required by taking small component of special repair in the estimate amounting to `38.65 lacs.

In view of position and circumstances explained above and being owner of the premises it is our duty to keep all the services in satisfactorily running condition at NDCC Phase-II building. Finance Department is once again requested to concur in the estimate of `3,46,58,258/- on priority basis so that approval of council is sought in time and fresh tenders are invited and finalized timely.

9. Final views of the Finance Department:

Maintenance cost of the building to be recovered from the licensee was fixed @ `30 per sq.ft or actual whichever is higher as per the decision taken in a meeting held on 25.01.2008 (P-26/C). It is therefore needs to be ensured that maintenance cost is recovered from the licensee. The Department may take up this issue separately with the Estate Department.

So far as the instant estimate is concerned, we re-iterated that the provision of Special Repair cannot be kept in Mechanized Facility Management Services and the same need to be deleted. The Special Repair should be carried out against separate estimate taking into account the approved norms in this regard. The case otherwise is examined/considered in the light of clarification to the observation and recommendation of department at P-14-15/N and the estimate cost amounting to `3,06,77,308/- (after deletion of cost of special repair) has been considered for providing Mechanized Facility Management Services at NDCC Phase-II Building Block-C.

Department may process the case for consideration of competent authority of grant of AA/ES of `3,06,77,308/-.

10. Legal Implication of the subject: NIL

11. **Details of previous Council Resolution, Existing Law of Parliament and Assembly on the subject:** NIL

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

13. **Final view of Law Department (wherever necessary) – Nil**

14. **Certificate that all CVC guidelines have been followed, while processing the case:**

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

15. **Recommendation:**

Detailed estimate for the work of Providing Mechanized Facility Management Services at NDCC Phase-II Block-C amounting to `3,06,77,308/- be placed before the Council for according administrative approval and expenditure sanction.

16. **Draft Resolution:**

Resolved by the Council to accord administrative approval and expenditure sanction to the detailed estimate, amounting to `3,06,77,308/- for the work of Providing Mechanized Facility Management Services at NDCC Phase-II, Block-C. Approval is also accorded to invite tenders in anticipation of the confirmation of minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the detailed estimate, amounting to `3,06,77,308/- (Rs. Three crore six lacs seventy seven thousand three hundred eight only) for the work of Providing Mechanized Facility Management Services at NDCC Phase-II, Block-C.

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.



ITEM NO. 15 (W-01)**1. Name of the subject/project:**

Seeking in-principle approval of the Council for continued retention of Consultant Architect for two markets i.e. Khan Market and Gole Market.

2. Name of the Department concerned:

Project Department

3. Brief history of the subject/project:

The LBZ area of NDMC is likely to get a UNESCO heritage tag soon, thereby requiring additional infrastructure for Tourism Parking decongested roads and settlement of vendors tehbazari etc.

A brief presentation was made on 26.2.2014 before the Council regarding various projects taken up by the Project Department. Presently, the Department will be taking up each project in detail and seeking certain approvals from Council in this and forth-coming Council meetings.

The Project Department wants to seek approval of the Council for retention of the Consultant Architects.

KHAN MARKET -

- i) Khan Market is the transferred market from the L&DO, and since then, NDMC is managing the leasehold rights in the said market. Whatever revenue is received

from the ground rent or the conversion charges other than user charges charge from residential to commercial after conversion of such market from leasehold to freehold, it is deposited in an account maintained by NDMC, and statement for the same is sent to the L&DO.

- ii) In the High Court case (LPA 565/2011) - Khan Market Traders Association V/s Union of India & Others - orders dated 8.2.2013, Hon'ble Justice S.K. Kaul & Ms. Justice Indermeet Kaur directed the L&DO to process the allotment of land for Multilevel Parking at Khan Market before 5.3.2013. In compliance of judgment L&DO vide letter No. L&DO/LV-16(246)/72 dated 4.3.2013 offered the allotment of land to NDMC on certain terms & conditions.

Now NDMC has accepted the offer for the land and NDMC has paid Rs.15 crore to L&DO. This was approved by Council in its meeting 10th Jan. 2014.

- iii) Meanwhile we have also requested DMRC to draw a feasibility of a traffic circulation plan and underground tunneling in Khan Market. As regards the building per se, the Architect Deptt. has already drawn up a plan for implementing the fire safety norms.

We do not have any ready estimates of the planned expenditure of redevelopment of Khan Market till the DPR stage is reached.

- iv) Sh. Sudhir Vohra was selected as Professional Advisor (Architect) to NDMC on the following terms:-

- a) The professional Advisor has to interact and deliberate with various agencies like DDA, DUAC etc. for the purpose of preparation of Zonal Plan of NDMC

area being undertaken by DUAC or any other work assigned by NDMC from time to time.

- b) The initial term of the Professional Advisor for the job assigned to him, as mentioned at (a) above, shall be for a period of 1 year subject to further renewal of terms, if required.
- c) A professional fee of Rs. 7000/- per day (for an 8 hours working day) shall be paid for the professional time utilized on a day to day basis. This shall not include service taxes but includes all office establishment costs including transportation & telephone.
- d) In case of specific projects like writing term of reference, Project, Reports, Practice & Procedure documents etc. the professional fee for such specific projects shall be governed as per clause(c) above. **(ANNEXURE -1, See page 135)**
- v) This was extended upto 31.5.2011. From June 2011 onwards, he was involved for Khan Market Redevelopment plan, which was finally filed as a Report by him in 2013. The scope of work was as below:-
 - a) Interacting with stakeholders, financial institutions, other consulting agencies, other experts etc. to evolve methodologies for the projects at hand.
 - b) Making Urban design scale drawings (not necessarily architectural drawings) which may be needed to conceptualize and examine the various ideas which may be thrown up in the future.

- c). Making TOR documents, and other such reports which may be needed to explain the projects and to make associated presentations.
- vi) We propose to extend the scope of work, from merely the revival of the buildings, to underground parking, walk-ways, traffic circulation and re-development of the Prithvi Raj Market, NDMC licenced market and to do so, prepare a Techno-Feasibility study for developing the market and surrounding areas.
- vii) Sh. Sudhir Vohra is Architect of renown and is well conversant with the area due to his past experience with a part of the project. This is a proposal to re-engage him at a professional fee of Rs. 12000/- per day w.e.f. 1.4.2014 with the similar scope of work as was done in the past, to work out Architectural feasibility of re-developing the area without which we cannot prepare final DPR. This DPR will be required for seeking funds from JNNURM or any other similar centrally sponsored projects/funding. This fees is within the limits prescribed by Council of Architects. Typically, we may need him for six month @ 8 hours a day.

GOLE MARKET

Sub:- Architectural & Conservation & design Consultancy for implementation of Gole Market Restoration & its precincts.

- (i) Unlike the case of Khan Market M/s. Abha Narain Lambah Associates were appointed on fee which was part of the total cost. Their work was in two parts:-

- | | |
|--------|---|
| Part-A | Implementation of Signage, steel furniture and façade restoration. |
| Part-B | Design, specification and Architectural Consultancy for implementation of Rehabilitation, Building & Services upgradation of Gole Market and its Central Courtyard including actual implementation at site. |

In Part-A, the Architect Consultant has accepted the fee of the 6.375% and fee for Part-B as 7.5% of the total project cost.

- (ii) Now it is proposed to expand our project from Gole Market to nearby landmarks so as to create a cultural hub, for tourists as well as locals, parking space to ease the pedestrian's walkways, and a night market for settlement of vendors.
- (iii) M/s Abha Narain Lambah Associates is related to this project as a renowned conservationist who has done some very prestigious works in India including restoration of Ajanta and Ellora , Char Minar in Hyderabad and many other public buildings. Moreover, she has worked in Gole Market and in the restoration of N.P. Bengali School.
- (iv) It is proposed that her firm be also engaged with an enlarged scope of area, at same terms and conditions as has been proposed for Sh. Sudhir Vohra.

4. Comments of the Finance Department on the subject:

Complete record w.r.t. appointment of both the Consultant Architects in r/o Restoration of Gole Market and Khan Market has not been submitted by the Department. A 'Table Agenda' for continued retention of Consultant Architects for these two markets has been proposed to be placed for 'Approval in Principle' of Council stating that they are closely related to these projects. The proposal is for continued retention of Consultant Architects @ Rs.12,000/- per day on the same terms and conditions for a further period of six months as mentioned at para (iv) Gole Market read with para 3 (vii) Khan Market. The department may be advised to re-frame the Agenda incorporating therein hand written corrections and also facts with regard to appointment of both the Consultant Architects, scope of work assigned to each one of them balance scope of work, time period scheduled for completion of respective work, expenditure already incurred/proposed to be incurred, budget provision etc. and place the case for consideration of Competent Authority bringing on record due justification for proposed hike in professional fee and total financial implications of such retention of

Consultant Architects. Proper justification in the light of Rule 176 of GFR may also be brought on record while submitting the case for consideration of Council.

5. View of Project Department on the Comments of Finance Department

Rule 176 of GFR Reads as below:-

Consultancy by nomination : Under some special circumstances, it may become necessary to select a particular consultant where adequate justification is available for such single-source selection in the context of the overall interest of the Ministry or Department. Full justification for single source selection should be recorded in the file and approval of the competent authority obtained before resorting to such single-source selection.

Council is requested to consider the case of these two architects for the following reasons:

a. Smt. Abha Lambah associate has been working on Gole market revitalization of facade restoration project since 2006.

b. Abha Narain Lambah is conservation architect based in Mumbai. She has been consultant to Archaeological Survey of India for the management plan for the World Heritage Site of Ajanta Caves and for Bodh Gaya World Heritage Site. She was the principal conservation architect to Namgyal Institute for Research on

Ladakhi Art & Cultural (NIRLAC) on the conservation of the 15th Century Maitreya Buddha Temple of Chamba Lakhang in Basgo, Ladakh that won the UNESCO Asia Pacific Award of Excellence in 2007.

c. Abha's architectural practice includes historic museums in Mumbai, Hyderabad, Indore and Gwalior and conservation projects ranging from medieval monuments in Punjab, Orissa, Jharkhand

and Hampi World Heritage site, to colonial buildings in Mumbai, Kolkata, Shimla and New Delhi. She has also been involved with the conservation of many of Mumbai's 19th century structures such as the University Convocation Hall, Asiatic Library & Town Hall, High Court, Crawford Market, Royal Opera House, Tata Palace, Mani Bhavan, Prince of Wales Museum and the Municipal Head Offices.

d. Her projects have won 8 UNESCO Asia Pacific Awards for Heritage Conservation and the Architectural Digest 50 Top Architects & Designers Award 2014. She has been recipient of the Sanskriti Award, Eisenhower Fellowship and Charles Wallace

Fellowship and has been awarded Top 10 Young Architects Award 2013. She has been consultant to World Monuments Fund, Global Heritage Fund, Deccan Foundation and ICROM.

Abha has served on the Heritage Conservation Committees of both Delhi and Mumbai and is active with various citizen's groups working in the field of urban conservation. She has edited a range of books including "Architecture of the Indian Sultanates". "Custodians of India's Heritage: 150 years of the Archaeological Survey of India" and "Shekhawati: Land of the Merchant Princes" and has been a columnist for Indian Express and Hindustan Times on conservation issues.

e. She has already completed once successful project in NDMC that is restoration of NP Boys School Mandir Marg.

f. Mr. Sudhir Vohra has been working with the Khan Market building project since very beginning and has liaised with DDA, DUAC, MOUD and L&DO on our behalf of NDMC. Mr.Vohra is an architect of repute who has successfully got all the stakeholders of board.

g. Appointing any other person at this stage may delay the project and may lead to conceptual changes which may be good for the project at this stage.

6. Comments of Law Department on the subject;

The proposal has been seen and approved by Chairman. The case involves of enlarging scope of work and enhancing fee of consultant does not involve any legal issue.

7. Recommendations:

The case is placed before the Council for Consideration.

COUNCIL'S DECISION

Resolved by the Council to approve the proposal of the department for continued retention of Consultant Architect of two markets, i.e. Khan Market and Gole Market.

ONE PAGE ANNEXURE

ITEM NO. 16 (L-01)**1. Name of the subject / project :**

Provisional adoption of Land Rate, review of Policy/guidelines for Freehold Conversion and for change in use from Residential to Commercial in respect of Markets transferred from L&DO.

2. Name of the Department :

Estate-II Department

3. Brief History of the subject / project :

The following 10 markets were transferred to NDMC by L&DO for lease management vide Govt. of India's Notification dated 24.03.2006, [**Annexure-A See pages 140 - 141**]:

1. Khan Market.
2. Khanna Market.
3. New Central Market.
4. Bhagat Singh Market.
5. Bangali Market.
6. Sarojini Nagar Market.
7. Babu Market.
8. Jor Bagh Market.
9. Diplomatic Enclave (Malcha Marg Market).
10. Aliganj Market.

As per above notification, the guidelines and procedure followed by L&DO and Directorate of Estate in the above said matters was to be followed by the NDMC also.

Since the date of transfer of above markets to NDMC, the Council has followed the land rates of L&DO which was last revised w.e.f. 01.04.1998 and were due for revision from 01.04.2000. These land rates were applicable to the above markets category-wise and were followed upto 23.1.2008 [**Annexure-B See page 142**].

In the absence of revision of land rates by the L&DO, which were due for revision from 1.04.2000, and to prevent revenue loss to Govt of India, the NDMC adopted the circle rates as notified by GNCT of Delhi from 24.01.2008. The circle rates were further revised by GNCT of Delhi from time to time. The last revision of rates has taken place on 05.12.2012 **[Annexure-C See page 143]**.

Till April, 2013 a sum of Rs.78.26 crores has been collected by the NDMC on account of conversion charges, damage charges, misuse charges, unearned increase, additional ground rent charges, etc. on behalf of L&DO and same had been deposited in a separate escrow account, and out of this Rs. 4.18 crore stands utilized in the development of markets. **[Annexure-D See pages 144 - 145]**

Although the L&DO, in April, 2013, has initiated the process of revision of land rate w.e.f 01.4.2000, however, no final decision has been taken by the L&DO so far.

The circle rate, adopted as land rates by NDMC in 2008, were not on very higher side initially when compared to L&DO land rates but subsequent revisions of circle rates has made them very high and rendered them quite unreasonable. At present, land rate for residential properties is Rs 6, 45,000/-per sq.mtr. and for commercial properties is Rs 19, 45,000/-per sq.mtr. (May refer annexure C).

As per L&DO policy, conversion from leasehold to freehold and conversion from residential to commercial were permissible with unauthorized construction and misuse existing. The L&DO used to charge misuse and damages from the lessees till the date of conversion. This policy was being followed by NDMC. Meanwhile, certain judicial pronouncements were made wherein it appeared that certain aspects of L&DO policy are not in consonance with these judicial pronouncements.

Due to adoption of circle rates as land rates and judicial pronouncements, there has been a sharp decline in number of applications for freehold conversion and many lessees have gone to courts against high demands for damage charges sent to lessees. Also a lot of

representations have been received from various markets against adoption of circle rate and change in policy consequent upon Apex Courts decisions.

4. In the light of the above, the matter was referred to the Legal Advisor and on the advice of Legal Advisor, Chairman NDMC has approved the following policy and guidelines for these transferred markets:

- (I) NDMC may follow the DDA Land rates for conversion from leasehold to freehold, in respect of commercial building as well as the residential building in transferred markets.

(a) Land Rate:

It has been decided that till the revision of land rate for transferred market is done by the L&DO, NDMC may provisionally adopt land rates of DDA w.e.f. 1.4.2000, for conversion of properties from leasehold to freehold as per **Annexure E (See page 146)**, however, the cases which have already been decided on the land rates applicable till date shall not be reviewed.

(b) Leasehold to Freehold Conversion:

It has been decided that in line with the guidelines and procedure provided in L&DO policy, the NDMC may grant freehold rights after charging the misuse charges or damages as per applicable rates till the date of conversion . For subsequent period, the matter is to be left to be decided and appropriate action to be taken by the concerned department of NDMC i.e. Chief Architect for the purpose of misuse, and, EBR Department for the purposes of unauthorized construction. The land rate for determining leasehold to freehold conversion charges and damages for breaches etc. will also be calculated on the basis of land rates provided in **Annexure-E (See page 146)**.

(c) Change in use from Residential to Commercial:

It has been decided that change of user from residential to commercial is allowed after collecting user conversion charges provided that the structure remains as per

the original structure as per the sanctioned building plan and the conversion is otherwise permitted. NDMC may follow DDA commercial conversion charges in respect of flats in Sarojini Nagar Market and Khan Market or in any other NDMC transferred markets, which at present, is Rs.89,094/- per sq.mtr. of the built-up area.

- (II) The NDMC may continue to allow conversion from leasehold to freehold, even where there is misuse of unauthorized construction, as per the guidelines of the Ministry of U.D. and after collecting the misuse charges or damages, the matter may be referred to Chief Architect or EBR for such action as may be necessary.
- (III) The rates being adopted would be provisional subject to fixation of land rates by L&DO.
- (IV) The above conversions may also be subject to decision of the Court.
- (V) The cases which have already been decided on the land rates applicable till date shall not be reviewed.

5. Financial implications of the proposed project / subject

As the cases which have already been decided on the land rates applicable till date shall not be reviewed, there does not seem to be any adverse financial implication.

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

Not applicable.

7. Comments of the Finance Department on the subject:

Finance Department has given no objection in respect of provisional adoption of land rates for conversion from lease hold to free hold till revised notification is issue by L&DO.

Regarding change in use from residential to commercial NDMC is bound by the notification dated 10.7.2012 issue by Delhi Development Authority u/s 57 of The DDA Act.

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

No comments required

9. Legal implications of the subject/Project:

-

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

Nil

11. Comments of the Law Department on the subject:

The proposal was initiated by the Law Department itself.

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

Not applicable.

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

Not required.

14. Recommendations

The policy/guidelines approved by the Chairman, as enumerated in para 4 above, is hereby placed before the Council for kind information.

COUNCIL'S DECISION

Information noted.

(NIKHIL KUMAR)
SECRETARY

(JALAJ SHRIVASTAVA)
CHAIRPERSON

(MEENAKSHI LEKHI)
PRESIDING OFFICER

Annexure 140 – 146

Annexure ends