

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI.

COUNCIL'S MEETING NO. 13/2011-12 DATED 09.02.2012 AT 3-00 P.M.

Arrangement of business

ITEM NO.	SUBJECT	PAGE	ANNEXURE
01 (C-25)	Confirmation and signing of the minutes of the Council's Meeting No. 10/2011-12 held on 23.12.2011.	3	4 – 9
02 (A-18)	Preservation/restoration of heritage building in NDMC area SH:- Extended project of NP Boys Sr. Sec. School, Mandir Marg, New Delhi.	10 - 15	16 – 33
03 (A-19)	S/R of roads in NDMC area. Sh:-Construction of Cement Concrete Pavement for lanes & colonies of the Sector-II DIZ area.	34 – 35	36 – 38
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05 (B-16)	Purchase of 33KV,HT(XLPE) Cable of size 400 sq. mm/3Cores, duly ISI marked.	42 – 47	48 – 75
06 (F-01)	Determination of municipal tax, rates, cesses and rebates for the year 2012-13 and other related matters.	76 – 82	
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08 (A-21)	Replacement of Municipal Water Mains in NDMC Area (SH Replacement of 450mm dia water mains along Tilak Marg from Sikandra Road to UGR at Tilak Lane Boosting Station).	89 – 91	
09 (A-22)	Demolition of Type-II Flats at Golf Link Sadan, Golf Link, New Delhi. SH:- Survey Report.	92 – 93	
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14 (C-26)	REPORT OF THE COMMITTEE CONSTITUTED U/S 9 OF NDMC ACT 1994, FOR ADVISING THE COUNCIL ON FRAMING BYE-LAWS / REGULATIONS, IN ITS MEETING HELD ON 31.01.2012 AT 3-00 P.M. AND AGAIN HELD ON 03.02.2012 AT 12-00 NOON, ADJOURNED FOR WANT OF QUORUM AND AGAIN HELD ON THE SAME DAY AT 12-15 P.M. IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.	122 - 123	124 - 168
15 (A-26)	Construction of additional block in Palika Maternity Hospital and addition/alteration of the existing building at Lodhi Colony.	169 – 173	
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ITEM NO. 01 (C-25)

Confirmation and signing of the minutes of the Council's Meeting No. 10/2011-12 held on 23.12.2011 **(See pages 4 -9).**

COUNCIL'S DECISION

Minutes confirmed.

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI

MINUTES OF THE COUNCIL'S MEETING NO. 10/2011-12 HELD ON 23.12.2011 AT 3-00 P.M. IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.

MEETING NO.	:	10/2011-12
DATE	:	23.12.2011
TIME	:	3-00 P.M.
PLACE	:	PALIKA KENDRA, NEW DELHI.

PRESENT :

- | | | | |
|----|-------------------------|---|--------------------|
| 1. | Ms. Archna Arora | - | Chairperson |
| 2. | Smt. Tajdar Babar | - | Vice Chairperson |
| 3. | Sh. Karan Singh Tanwar | - | Member |
| 4. | Sh. Ashok Ahuja | - | Member |
| 5. | Mr. Mahmood Ahmed | - | Member |
| 6. | Smt. Rita Kumar | - | Member |
| 7. | Sh. Santosh D. Vaidya | - | Secretary |

ITEM NO.	SUBJECT	DECISION
01 (C-22)	Confirmation and signing of the minutes of the Council's Meeting No. 09/2011-12 held on 31.10.2011.	Minutes confirmed.
02 (B-14)	Replacement of C.I. Pole with Octagonal Pole at service road front & back side, South Avenue.	<p>Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.1,27,97,697/- (Net) for the work of "Replacement of C.I. Pole with Octagonal Steel Pole at service road front & back side, South Avenue".</p> <p>The Council further directed that keeping in view the value of removed poles, the same may be taken on record and be used in parks, roundabouts etc. in NDMC area.</p> <p>It was also resolved that further action may be taken by the Department in anticipation of confirmation of the minutes by the Council.</p>
03 (B-15)	Replacement of 2 Nos. 3CX300mm ² PILCA cable from ESS Ridge Valley to 33kV ESS Bapu Dham (Ckt. I & II) and 1No. 3CX300mm ² PILCA cable from ESS Ridge Valley to 33kV ESS Nehru Park by 3CX400sqmm ² XLPE cable	<p>Resolved by the Council to accord administrative approval & expenditure sanction to the estimate amounting to Rs.187.02 Lacs for Replacement of old 33kV, 3CX 300mm² PILCA cables with 33kV, 3CX 400mm² XLPE cables from ESS Ridge Valley to ESS Bapu Dham and ESS Nehru Park.</p> <p>The Council further directed that effort should be made to retrieve the old cable, if possible and viable.</p>

04 (H-04)	Continuation of a temporary Group "A" post of Ayurvedic Physician beyond six months.	Resolved by the Council that the post of a Ayurvedic Physician, created by the Chairperson for a period of six months, is allowed to continue beyond six months, as regular post, as recommended by the Deptt.
05 (M-04)	Framing/amendment of Recruitment Regulations for the posts of Principal, Vice Principal & Deputy Education Officer.	<p>Resolved by the Council as under:</p> <ul style="list-style-type: none"> (i) Ex post facto approval for creation of the post of Computer (Coordinator). (ii) Re-designation of the posts of Sr. Lecturer (Science/ Humanities) & Computer (Coordinator) as Deputy Education Officer (Science/ Humanities/Computer) and creation of two sub cadres of Administrative and Academic respectively. (iii) The posts of Vice Principal and DEO be inter-changeable and transferable in view of administrative exigencies. (iv) The proposed RRs for the posts of Principal, Vice Principal & Deputy Education Officer, as placed respectively at Annexure VI to VIII of the preamble, are approved. The department should obtain the approval of Ministry of Home Affairs and Union Public Service Commission and get them notified at the earliest. <p>The Council further directed that the teachers presently being used for non-teaching jobs / works except census etc. may be withdrawn and posted back to school in phased manner.</p>
06 (A-17)	Maintenance work at Talkatora Indoor Stadium.	<p>Resolved by the Council to accord approval for acceptance of the lowest offer of L-1 M/s. R.K Jain & Sons Hospitality Services Pvt. Ltd. for Rs.1,15,16,159/- which is 4.49% below the estimated cost and 5.49% below the justified cost for the work "Maintenance work at Talkatora Indoor Stadium".</p> <p>It was also resolved that further action may be taken by the Department in anticipation of confirmation of the minutes by the Council.</p>

07 (H-05)	Recruitment Rules for the post of Director (Medical Services)	Resolved by the Council to accord approval to the proposed Recruitment Rules for the post Director (MS) with amendment that in column 9 and 12 of the RR for this newly created post, the words "MD/MS degree" or "post graduate MD / MS degree" may be replaced by "MBBS degree" and that "MD / MS degree in any branch of medical sciences recognized by MCI" may be added as Desirable condition in column 9 appropriately.
08 (C-23)	Contracts/Schemes involving an expenditure of Rs.1 Lac but not exceeding Rs.100 lacs.	Information noted.
09 (C-24)	Action Taken Report on the status of ongoing schemes/works approved by the Council.	Information noted.
	OTHER ISSUES	
	Question raised by Sh. Karan Singh Tanwar, Member, NDMC regarding all developmental works in the area under NDMC's jurisdiction in Delhi Cantonment Assembly.	Reply of the question is annexed at Annexure – I.
	Question raised by Sh. Karan Singh Tanwar, Member, NDMC regarding demolition of 'Ambedkar Vatika' at Netaji Nagar.	Reply of the question is annexed at Annexure – II.
	Question raised by Sh. Karan Singh Tanwar, Member, NDMC regarding M/s. City Life Line Transport Private Limited.	Reply of the question is annexed at Annexure – III.

Sd/-
(SANTOSH D. VAIDYA)
SECRETARY

Sd/-
(ARCHNA ARORA)
CHAIRPERSON

COUNCIL SECRETARIAT
NEW DELHI MUNICIPAL COUNCIL

F.25(1)/CS/KST/161/2011/D-521

Date : 23 /12/2011

Sub : **Reply of questions raised in the Council's Meeting dated 23.12.2011 u/s 28 of NDMC Act 1994, by Sh. Karan Singh Tanwar, MLA, Member, NDMC, replied on 23.12.2011.**

	Question	Answer
1. (a)	Is it a fact that all developmental works in the area under NDMC's jurisdiction in Delhi Cantonment Assembly Constituency are held up and there is large hue and cry in the public residing in the area for essential services like water, electricity and sewerage etc.?	No Sir.
(b)	If it is true, what are the reasons of depriving the public of aforesaid area of basic amenities / facilities, the NDMC is responsible to provide its residents being Municipality?	In view of above, question does not arise.
(c)	Is it also true that this area is being given step motherly treatment with a political view?	

Sd/-
(SANTOSH D. VAIDYA)
Secretary

To

ALL MEMBERS OF THE COUNCIL

COUNCIL SECRETARIAT
NEW DELHI MUNICIPAL COUNCIL

F.25(1)/CS/KST/161/2011/D-522

Date : 23 /12/2011

Sub : **Reply of questions raised in the Council's Meeting dated 23.12.2011 u/s 28 of NDMC Act 1994, by Sh. Karan Singh Tanwar, MLA, Member, NDMC, replied on 23.12.2011.**

	Question	Answer
2.(a)	Is it a fact that for demolition of any religious place in Delhi, the action is taken as per the report of Committee formed by the Lt. Governor of Delhi?	Only in respect of such religious places, which are enlisted in the list prepared by NDMC in December, 2009, in compliance with the order of the Hon'ble Supreme Court of India, approval of the Religious Committee is to be taken.
(b)	If it is true, who was the officer to order for demolition of "Ambedkar Vatika" at Netaji Nagar, New Delhi and name(s) of officer(s) responsible for it?	No structure, which is included in the above said list, has been demolished.
(c)	What action has been taken by NDMC against those responsible? If any action is taken, the details thereof and if not, the reasons thereof?	In view of above, question does not arise.

Sd/-
(SANTOSH D. VAIDYA)
Secretary

To

ALL MEMBERS OF THE COUNCIL

COUNCIL SECRETARIAT
NEW DELHI MUNICIPAL COUNCIL

F.25(1)/CS/KST/161/2011/D-523

Date : /12/2011

Sub : **Reply of questions raised in the Council's Meeting dated 23.12.2011 u/s 28 of NDMC Act 1994, by Sh. Karan Singh Tanwar, MLA, Member, NDMC, replied on 23.12.2011.**

	Question	Answer
3. (a)	What was the amount to be recovered from M/s City Life Line Transport Private Limited by NDMC as per the resolution passed by the Council?	After the Council's Resolution No.1(E-04) dated 03.09.2009 was enforced, the agency filed a suit. The Court has referred the matter for quantification of licence fee to the Arbitrator, Justice (Retd.) Sh. Mukul Mudgal, former Chief Justice of Punjab & Haryana High Court and had directed that the Bank Guarantee of Rs.9.30 crores be kept alive till decision of the Arbitrator.
(b)	What were the terms and conditions of agreement entered into by NDMC with the aforesaid firm and whether all the terms and conditions were fulfilled by the Company?	
(c)	Whether the NDMC has suffered any financial losses due to its contract with the aforesaid firm and if so, the officer(s) responsible for and amount thereof?	

Sd/-
(SANTOSH D. VAIDYA)
Secretary

To

ALL MEMBERS OF THE COUNCIL

ITEM NO. 02 (A-18)**1. NAME OF THE PROJECT:**

Preservation/restoration of heritage building in NDMC area
SH:- Extended project of NP Boys Sr. Sec. School, Mandir Marg, New Delhi.

2. NAME OF THE DEPARTMENT CONCERNED:

Civil Engineering Department (Zone-II)

3. BRIEF HISTORY OF THE PROJECT:

N.P. Boys Sr. Sec. School and its surrounding building/structures has survived the hazards of time and provides the tangible link between the past and present giving a continuous cultural identity and is an architecturally significant, carry strong cultural overtones and being a part of cities heritage need care/conservation. This being an essential component in a civilized society through which architectural, aesthetic, social economic, political and cultural values the past are observed, besides it shows an architectural, aesthetic, historic of cultural values with local landmark contributing to the image and identity of the city and thus required to be restored to its old glory by preserving & restoration of the same.

The NDMC had initiated the Façade Restoration of NP Boys Sr. Sec. School at Mandir Marg in the year 2005. This project was limited to the front façade and front landscape of the building. As the work progressed on the project, the NDMC and the project team realized the inadequacy of limiting the project to only the façade and extended the scope to include the restoration of 2 interior courtyards and the up gradation of basic facilities such as water drinking stations and toilets for the students. The Phase-I has been completed.

During one of the inspections of the school, it was decided to extend the scope of the project to include a comprehensive restoration and up-gradation of courtyards, class rooms, all toilets, laboratories i.e., interior and exterior spaces of the building as well as a holistic electrical and plumbing up-gradation in keeping with the historic ambience of the heritage building of the school and the needs and safety of the students and staff.

This phase-II Project therefore entails the restoration of the internal and exterior spaces of the remaining portion of the building, structural repairs and structural strengthening of whole building with improvement and up-gradation of electrical and plumbing services allowing for a holistic restoration and up-gradation of the school building.

Consultant has submitted the proposal for the phase-II work. Accordingly new estimate amounting to Rs.7,06,00,000/- has been framed for which administrative approval and expenditure sanctioned was accorded by council vide resolution no Item no19 (A-72) dt 21.08.2009.

After following codal formalities composite tenders were invited through e-procurement system. Three tenders were received in first call of the tender. The technical evaluation was held on 15.06.2010 where it was concluded that all the bidders were not fulfilling the eligibility criteria as per laid down condition in the NIT. Accordingly it was decided to call the tender after modifying the condition of similar works and approval was accorded by competent authority for rejection of the tender received in this call and to recall the tender with modified condition of similar works. The action as taken will be noted to Council at the time of acceptance of the tender in subsequent call.

The tenders were invited second time through e-procurement system after modifying the NIT condition. In second call only two agencies participated in the tendering process. Only the single bidder remained eligible for opening of financial bid since the other bidder was not found eligible. It was concluded by the Technical Sub-Committee that there is a poor response and as such the tenders be re-invited as per provision of the Clause 16.7 of the manual, the approval was accorded by the competent authority for:-

1. Rejection of tender received in this call because of poor response.
2. To recall the tender with modified NIT conditions as per provisions of the manual.

4 DETAILED PROPOSAL OF THE PROJECT:

Composite tenders were invited on third time after modifying the NIT conditions. Four agencies namely M/s India Guniting Corporation, Ms/ Himcon Engineers (India) Pvt. Ltd., M/s Devi Construction Company & Sh. Devinder Singh participated in the bid. The technical sub-committee to evaluate the technical bid of all the firms was held and it was decided by reviewing/scrutiny of the documents by technical sub-committee as per approved NIT that all the four firms namely M/S. Devinder Singh, M/s. Himcon Engineers (India) Pvt. Ltd., M/s India Guniting Corporation & M/s Devi Construction Company are fulfilling the eligibility criteria. As all the firms are meeting the eligibility criteria as per approved NIT and hence their financial bid may be opened. Accordingly financial bid was opened after obtaining approval of competent authority and their comparative statement is as under:-

Estimated Cost: Rs.7,27,29,893/-

S.NO.	Name of Contractor	Amount Quoted (in Rs.)	% below/above of estimated cost
1.	M/s Devi Construction Company	8,36,62,869.45	15.03% above (1 st lowest)
2	M/s India Guniting Corporation	8,47,03,768.67	16.46% above (2 nd lowest)
3.	Sh. Devender Singh	9,06,06,904.40	24.58% above (3 rd lowest)
4.	M/s Himcon Engineers India Pvt. Ltd.	9,77,56,058.71	34.40% above (4 th lowest)

From the above comparative statement it is evident that M/s Devi Construction Co. is 1st lowest at his quoted rate of Rs.8,36,62,869.45 which is 15.03% above the estimated cost of Rs.7,27,29,893/-. Justification statement was prepared duly checked by Planning works out to 29.97% above the estimated cost of Rs.7,27,29,893/-. Percentage of tendered cost over the justified cost works out to 11.49% below justified cost being Rs.8,95,19,531/-. The tender case is recommended for acceptance by the Council of the lowest bidder i.e. M/s Devi Construction Company at his quoted rate of Rs.8,36,62,869/- which is 15.03% above the estimated cost of Rs.7,27,29,893/- and 11.49% below the justified cost of Rs.8,95,19,531/-.

5. FINANCIAL IMPLICATIONS OF THE PROJECT:

Total financial implication of the project is Rs.8,61,72,000/-.

6. IMPLEMENTATION SCHEDULE WITH TIME LIMIT

12 months from the Award of work.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT.

Finance Department has concurred the case vide their diary no. 2653/Finance/R-Civil dated 21.12.2011 that "FD has no objection for placing the tender amounting to Rs.8,36,62,869.00 which is 15.03% above the EC of Rs.7,27,29,893.00 against justification checked by planning 29.97% above the estimated cost for consideration and approval of Council. As the total amount of tender exceeds the codal limit of AA&ES, the revision may also be obtained. The deptt. may also ensure and certify that the direction, if any, given by council at the time of AA&ES, have been complied with.

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

Finance Deptt. vide their diary No.2653/Finance/R-(Civil) dated 21.12.2011 has concurred the case of acceptance of tender amounting to Rs.8,36,62,839/- which is 15.03% above the estimated cost of Rs.7,27,29,893/- against justification checked by Planning 29.97% above the estimated cost for consideration and approval of the Council. As the codal limit of A/A & E/S is exceeded and hence sanction for revised A/A & E/S for Rs.8,61,72,000/- is also sought for. It is also certified that the directions given by Council at the time of A/A & E/S have been complied with.

9. LEGAL IMPLICATION OF THE PROJECT/SUBJECT:

NIL

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

1. Reso. No. IV (A-23) dt. 20.9.2006

"Resolved by the Council that administrative approval & expenditure sanction to the Preliminary Estimate amounting to Rs.2,02,00,000/- is accorded.

Further resolved by the Council that during the restoration of N.P. Boys Sr. Sec. School not only the façade but the strengthening of the existing buildings and problems pertaining to seepage and other constructional weaknesses would also be dealt.

Further resolved by the Council that a presentation be made to the Council, highlighting not only façade strengthening of the existing building as well as retrofitting the building for its toilets and plugging seepages, in the next Council Meeting".

Enclosed as **Annexure 'A' (See pages 16 – 18).**

2. Reso No. 18 (A-55) dt. 21.11.07

"Resolved by the Council to award the work to M/s India Guniting Corporation at their tendered amount of Rs.2,54,91,739/- which is 86.21% above the estimated cost of Rs.1,36,89,629/- and also revised A/A and E/S amounted to Rs.2,54,91,739/- and work to be started in anticipation of confirmation in next Council Meeting".

Enclosed as **Annexure 'B' (See pages 19 – 22).**

3. Reso. No. Item No. 11(A-95) dt. 31.12.2008

"Resolved by the Council to accord revised administrative approval and expenditure sanction for Rs.3,77,98,000/- for the work of façade restoration of N.P. Boys Sr. Sec. School, Mandir Marg, New Delhi.

It was further decided by the council that the Chief Vigilance Officer shall look into the reasons for increase in the estimated expenditure leading to Council's revised administrative approval and expenditure sanction two occasions and shall place his report before the Council for further consideration".

Enclosed as **Annexure 'C' (See pages 23 – 26)**.

4. Reso. No. Item No. 19 (A-72) dt. 21.08.2009

"Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.7,06,00,000/- for the work of Preservation/restoration of heritage building in NDMC area; SH: Extended project of NP Boys Sr. Sec. School, Mandir Marg, New Delhi.

The Council also directed that as decided vide Resolution No.11(A-95) dated 31.12.2008, in the Council's Meeting No.13/2008-09, the report of the Vigilance Department regarding increase in the cost of project should be placed before the Council in its next meeting.

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

Enclosed as **Annexure 'D' (See pages 27 – 31)**.

5. Reso. No. Item No. 41 (S-01) dt. 30.09.2009

"Information noted".

Enclosed as **Annexure 'E' (See pages 32 – 33)**.

11. COMMENTS OF THE LAW DEPARTMENT ON THIS PROJECT:

It does not involve any legal point please.

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

No comments in view of the above comments.

13. CERTIFY THAT ALL CENTRAL VIGILANCE COMMISSION (CVC) GUIDELINES HAVE BEEN FOLLOWED WHILE PROCESSING THE CASE.

Certified that all central vigilance commission (CVC) guidelines have been followed while processing the case.

14. RECOMMENDATIONS:

The case is placed before the Council for accord of approval of the following:

1. Approval for rejection of tenders in the 1st call and IInd call
2. Acceptance of lowest tender in IIIrd call of M/s Devi Construction Co. at his quoted rate of Rs.8,36,62,869/- which is 15.03% above the estimated cost of Rs.7,27,29,893/- and 11.49% below the justified cost of Rs.8,95,19,531/.
3. Revised Administrative approval and Expenditure Sanction of Rs.8,61,72,000/- due to enhancement of tender rates.
4. To accord permission to take necessary action in anticipation of confirmation of minutes.

15. DRAFT RESOLUTION:

Resolved by the Council that having the tenders of the 1st and 2nd call been rejected and the tender in the 3rd call of M/s Devi Construction Co. at his quoted rate of Rs.8,36,62,869/- below the justified cost of the Rs.8,95,19,531/- which is 15.03% above the estimated cost of Rs.7,27,29,893/- and 11.49% below the justified cost for the work of Preservation/restoration of heritage building in NDMC area SH: Extended project of NP Boys Sr. Sec. School, Mandir Marg, New Delhi be accepted. Revised Administrative Approval and Expenditure Sanction for Rs.8,61,72,000/- including 3% contingencies be also accorded and permission be also granted for taking further necessary action in anticipation of confirmation of the minutes of the Council.

COUNCIL'S DECISION

Resolved by the Council, by majority, that the 1st and 2nd call of tenders be rejected and in the 3rd call of tender, the offer of M/s Devi Construction Co. at its quoted rate of Rs.8,36,62,869/-, which is 11.49% below the justified cost of Rs.8,95,19,531/- and 15.03% above the estimated cost of Rs.7,27,29,893/- for the work of Preservation/restoration of heritage building in NDMC area SH: Extended project of NP Boys Sr. Sec. School, Mandir Marg, New Delhi, be accepted.

It was further resolved by majority to accord Revised Administrative Approval and Expenditure Sanction for Rs.8,61,72,000/- including 3% contingencies.

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. 4(A-23)/20.09.2006**1. Name of the subject/Project :**

Sub: Preservation/Restoration of Heritage Building in NDMC area.
SH : Façade Restoration of N.P. Boys Sr. Sec. School, Mandir Marg, N.Delhi.

2.. Name of the deptt./deptt. concerned :

Civil Engg. Deptt., NDMC

3. Brief History:

N.P. Boys Sr. Sec. School and its surrounding building/structures has survived the hazards of time and provides the tangible link between the past and present giving a continuous cultural identity and is an architecturally significant, carry strong cultural overtones and being a part of cities heritage need care/conservation. This being an essential component in a civilized society through which architectural, aesthetic, social economic, political and cultural values of the past are observed, besides it shows an architectural, aesthetic, historic of cultural values with local landmark contributing to the image and identity of the city and thus required to be restored to its old glory by preserving & restoration of the same.

4. Detailed proposal on the subject/project:

An estimate amounting to Rs. 2,02,00,000/- approx. has been framed to obtain the A/A & E/S from the Council for restoration of the front façade of the building, restoration of water proofing work, structural cracks, all sensitive historical features, repair of old masonry structure, restoration of garden, illumination of building etc. so as to have the original magnificent elevation.

5. Financial implications of the proposed project/subject:

The total financial implications of the project/subject would be Rs. 2,02,00,000/- approx. This amount is on the basis of details submitted by an Architect Consultant appointed for Architectural & Conservation, Design Consultancy for Implementation of Façade Restoration of N.P. Boys Sr. Sec. School, Mandir Marg, New Delhi.

There is a budget provision of Rs. 10,00,000/- exists under the Head of A/C H.1.8 vide item no. 281 during the year 2006-07.

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

Sl.No	Stage/Activity	Time	Target date	Remarks
1.	Appointment of consultant and signing of agreement.			Completed.
2.	Concept design and Report Rough cost etc.		11.03.06	Completed
3.	Preliminary design, drawings incorporations of modification suggested by employer, preliminary estimates.		24.04.06	Completed

4.	Submission to DUAC and Heritage Committee.		31.07.06	Permission from the Heritage Committee granted in June, 06. Drawings has been submitted to DUAC.
5.	Approval by statutory body		30.09.06	
6.	Working drawings, Tender documents, Bill of Quantities, short listing of contractor, Tendering process		31.12.06	
7.	Completion of work	54 weeks	Dec. 07	
8.	Likely commissioning of Project in all respects		31.03.08	-

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

In view of the clarification given by the deptt. as well as recommendation of CE (C-II), we concur in the PE amounting to Rs. 2,02,00,000/- (Rs. Two Crore two lac) for the work of Façade Restoration of N.P. Boys Sr. Sec. School, Mandir Marg, New Delhi, subject to :-

1. The estimate has been submitted by the consultant and same has been checked on their rates as such due care be taken in while submitting the detailed estimate in the Planning Division alongwith drawing.
2. Correctness of data.
3. Availability of funds.
4. Approval of Competent Authority
5. Execution of work by adhering codal provisions.

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

It is clarified as under:

- 1 & 2. Due care shall be taken while submitting the detailed estimate in the Planning Division alongwith drawing etc. & its correctness of data & rates.
3. Sufficient funds are available.
4. The case is placed before the Council for its approval.
5. The work shall be got executed by adhering codal provisions.

9. Legal Implication of the project:

NIL

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

NIL

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

As no legal implication involved, hence the matter was not submitted to the Law Deptt.

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

No Comments

13. Recommendation

The case is placed before the Council for approval of the proposal & to accord Administrative Approval & Expenditure sanction to the Preliminary Estimate amounting to Rs. 2,02,00,000/- (Rs. Two crores Two lacs only).

COUNCIL'S DECISION

Resolved by the Council that administrative approval & expenditure sanction to the Preliminary Estimate amounting to Rs.2,02,00,000/- is accorded.

Further resolved by the Council that during the restoration of N.P. Boys Sr. Sec. School not only the façade but the strengthening of the existing buildings and problems pertaining to seepage and other constructional weaknesses would also be dealt.

Further resolved by the Council that a presentation be made to the Council, highlighting not only façade strengthening of the existing building as well as retrofitting the building for its toilets and plugging seepages, in the next Council Meeting.

Item No. 18 (A-55)/21.11.2007**1. Name of the Subject/Project :**

Sub : Preservation/Restoration of Heritage Building in NDMC area.

SH : Façade Restoration of N.P. Boys Sr. Sec. School, Mandir Marg, N. Delhi.

2. Name of the deptt./deptt. concerned :

Civil Engg. Deptt., NDMC

3. Brief History :

N.P. Boys Sr. Sec. School and its surrounding building/structures has survived the hazards of time and provides the tangible link between the past and present giving a continuous cultural identity and is an architecturally significant, carry strong cultural overtones and being a part of cities heritage need care/conservation. This being an essential component in a civilized society through which architectural, aesthetic, social economic, political and cultural values of the past are observed, besides it shows an architectural, aesthetic, historic of cultural values with local landmark contributing to the image and identity of the city and thus required to be restored to its old glory by preserving & restoration of building.

The design of the existing street furniture, signs, garbage bins, tree planters as they exists in the area are incongruous to the ambience of the heritage historic building and installation of plaques and information posts with other signages etc. could go a long way in not only establishing the identity of the area but also instilling pride to the occupants and users of the historic building of the area by adopting the use of right type of street furniture i/c interior restoration & upgradation.

M/s Abha Narain Lambah Associate has been appointed as an architect consultant for the above work.

4. Detailed proposal on the subject/project :

The administrative approval and expenditure sanctioned to the above proposal was accordingly by the council vide its resolution no. IV(A-23) dt. 20.9.2006 amounting to Rs. 2,02,00,000/- for restoration of the front façade of the building, restoration of water proofing work, structural cracks, all sensitive historical features, repair of old masonry structure, restoration of garden, illumination of building etc. so as to have the original magnificent elevation. The detailed estimate amounting to Rs. 1,74,94,200/- was technically sanctioned by E-in-C on 28.12.2006. the NIT amounting to Rs. 1,36,89,629/- was also approved by E-in-C. Sealed item rate tenders were invited by fixing the last date of application, sale and opening of tender as 16.7.07, 20.7.07 and 30.7.07 respectively by issuing press notice through Dir (PR) in 3 leading news papers and also notices were sent to 11 short listed contractors (list supplied by consultant) and also to various divisions of NDMC

and other deptt of Govt of Delhi, contractor's associations and a C.D was also sent to Dir (IT) for uploading the tender documents on the web site of NDMC/Delhi Govt.

On the due date of opening i.e. 30.7.2007 only two tenderers responded and their technical bid was opened on 1.7.2007 as per the following details:

1. M/s Kailash Associates
2. M/s India Guiniting Corpn.

To examine the technical feasibility of the work the sub committee of SE(P),EE(BM-I), EE(BM-II), Sr. A.O. (W-II) was formed and after examining the technical parameters which were meeting the norms by both the firms and recommended to open their financial bids. After obtaining approval of E-in-C, the financial bid of both the tenderers were opened on 22.8.2007 as per the following details :

<u>S.NO.</u>	<u>Agency</u>	<u>Amt.</u>	<u>%age</u>
1.	M/s Kailash Associates	Rs. 2,63,03,453.00	92.14% above
2.	M/s India Guniting Corpn.	Rs. 2,54,91,739.00	86.21% above

From the above it is seen that M/s India Guniting Corpn. Emerged as the first lowest. The justification of rates was prepared in consultation with the architect consultant which works out to 86.53% above the estimated cost as against the quoted rates of 86.81% above the estimated cost and accordingly the consultant recommended to award the work to the first lowest. The case was examined by the Planning Deptt. and recommended to award the work to the first lowest as per the following details :

1.	Justification prepared by the division (%age above/below)	-	86.53% above.
2.	Justification checked by the Planning Division	-	84.81% above
3.	%age of tendered cost over justified cost of tender	-	0.76% above

5. Financial implication of the proposed project/subject :

The total financial implications of the project/subject would be Rs. 2,54,91,739/- based on the lowest rates coated by M/s India Guniting Corpn.

There is budget provision of Rs. 1.0 crore exists under the Head of A/C H-1-8 vide item no. 301(2) at P/162 during the year 2007-08.

6. Implementation Schedule

1. Start of Work – Jan'08
2. Completion of Work - Jan'09

7. Comments of the Finance Deptt.

Finance Department concurred in department's proposal at page 55/N subject to certain conditions as listed at page ibid. As per minutes of the Chairman at page 56/N, department was to comply with the observations of FD. The position now clarified reveals that NIT was not got approved from the authority specified under orders dated 26.12.2005 i.e. Empowered Committee. Therefore, the matter may be submitted to the authorities for consideration & decision. The conditions attached in the approval given by HCC & DUAC may be complied with during execution of work besides obtaining revised A/A & E/S within a period of one month from the date of award of work in terms of provisions of Para 18.4.3.6 of CPWD Works Manual.

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

It is clarified as under :

- a. The detailed estimate was approved and accorded technically sanctioned by the competent authority and the NIT is just a replica of the same alongwith standard terms and conditions of inviting tenders. The overall general scheme is placed initially before the Empowered Committee for consideration and approval and also where some gray areas emerged the case is considered by the Empowered Committee. However the matter is being placed before the Council for consideration and decision.
- b. The conditions attached in the approval given by HCC & DUAC shall be complied with during execution of work.
- c. Since the tender cost exceeds the permissible limit of A/A & E/S, as such revised A/A & E/S amounted to Rs 2,54,91,739/- is being sought.

9. Legal Implication of the project :

NIL

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

NIL.

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

It does not have any legal angle.

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

No Comments.

13. Recommendation of CE(C-II) :

The case is placed before the Council for award of the above work M/s India Guiniting Corpn. at their total tendered amount of Rs. 2,54,91,739/- which is 86.21% above the estimated cost of Rs. 1,36,89,629/- and also accord revised administrative approval and expenditure sanctioned amounted to Rs. 2,54,91,739/-.

COUNCIL'S DECISION

Resolved by the Council to award the work to M/s India Guiniting Corporation at their tendered amount of Rs.2,54,91,739/- which is 86.21% above the estimated cost of Rs.1,36,89,629/- and also revised administrative approval and expenditure sanction amounted to Rs.2,54,91,739/- and work to be started in anticipation of confirmation in next Council Meeting.

ITEM NO. 11 (A-95)/31.12.2008**2. Name of the Subject/Project :**

Sub : Preservation/Restoration of Heritage Building in NDMC area.

SH : Façade Restoration of N.P. Boys Sr. Sec. School, Mandir Marg, N. Delhi.

2. Name of the deptt./deptt. concerned :

Civil Engg. Deptt., NDMC

3. Brief History :

N.P. Boys Sr. Sec. School and its surrounding building/structures has survived the hazards of time and provides the tangible link between the past and present giving a continuous cultural identity and is an architecturally significant, carry strong cultural overtones and being a part of cities heritage need care/conservation. This being an essential component in a civilized society through which architectural, aesthetic, social economic, political and cultural values of the past are observed, besides it shows an architectural, aesthetic, historic of cultural values with local landmark contributing to the image and identity of the city and thus required to be restored to its old glory by preserving & restoration of building.

The design of the existing street furniture, signs, garbage bins, tree planters as they exists in the area are incongruous to the ambience of the heritage historic building and installation of plaques and information posts with other signages etc. could go a long way in not only establishing the identity of the area but also instilling pride to the occupants and users of the historic building of the area by adopting the use of right type of street furnitures i/c interior restoration & up gradation.

M/s Abha Narain Lambah Associate has been appointed as an architect consultant for the above work.

6. Detailed proposal on the subject/project :

The A/A & E/S was accorded by the Council vide its resolution no. IV(A-23) dt. 20.9.2006 amounting to Rs. 2,02,00,000/- for restoration of the front façade of the building, restoration of water proofing work, structural cracks, all sensitive historical features, repair of old masonry structure, restoration of garden, illumination of building etc. so as to have the original magnificent elevation. After completing the codal formalities, tenders were invited by fixing the last date of application, sale and opening of tender as 16.7.07, 20.7.07 and 30.7.07 respectively. M/S India Guiniting Corpn. emerged as the first lowest and after completing the requisite formalities, Council vide its Reso. No. 18 (A-55) dtd. 21.11.07 awarded the above work to M/s India Guiniting Corpn. at their total tendered amount of Rs. 2,54,91,739/- which is 86.21% above the estimated cost of Rs. 1,36,89,629/- and also accorded revised administrative approval and expenditure sanction amounting to Rs. 2,54,91,739/-. During the course of inspections made by the Consultant alongwith Sr. Officers, certain changes were required to be made to ensure that the work is being taken up in hand as per the laid down principle of heritage concept. This resulted in execution of extra/substituted item, additional item for which approval in principle was obtained from CE (C-II). The over all revised A/A & E/S as has been worked out is Rs.3,77,98,000/-.

7. Financial implication of the proposed project/subject :

The total financial implications of the project/subject is Rs.3,77,98,000/-. There is budget provision of Rs. 1.80 Crore exists under the Head of A/C H-1-8 vide item no. 338.2 at P-210 during the year 2008-09.

6. Implementation Schedule

54 weeks.

7. Comments of the Finance Deptt.

1. Record reveals that A/A& E/S for the work was obtained for Rs. 2.02 crore. Revised A/A & E/S was obtained at the time of approval of tenders for Rs.2,54,91,739/-. The work was awarded in Jan.,08. The work is still in progress. Now, case for further revision of A/A & E/S has been processed for Rs.3,77,98,000/- with net excess of Rs.1,23,06,261/-. The reasons for the said excess have been attributed to changes made in the scope of items of work as stipulated in the agreement, pursuant to site visit/inspection by the team of officers. The changes involve execution of extra, substitute and additional quantities. The items of work changed as a result of site requirement have been detailed in the minutes of inspection placed at flag 'X', which may kindly be perused. Approval of resorting to the said deviations was obtained from Chief Engineer (Civil), flag 'Y'. Abstract of revised cost, which has been checked by Member Planning indicating excess of Rs. 1.72 crore, is placed at flag 'A'. Detailed and elaborated reasons for revision of each quantity have not been given in the appropriate column of the abstract.
2. Deviations should be trifling ones after award of work. In the instant case, there are major deviations, about 80% of original A/A & E/S. This puts a question mark on the technical soundness of a scheme, which is being made to undergo such a major changes after award of work. Technical sanction to a scheme should be a guarantee for soundness of the scheme from technical point of view. Deviations, which are being considered necessary, now for completion of work, should have been assessed/foreseen at the time of accord of technical sanction to the scheme. Major deviations after award of work not only delays the scheme but are also breeding ground for arising disputes in settlement of rates besides being a case of award of work without call of tenders of major magnitude. Such like comments have been echoed by FD in similar other proposals but it appears no due attention is being given. CE (C) may look into it for necessary directions to all concerned under intimation to FD.
3. Besides above, it has been observed that approval in principle for deviations should have been obtained from the competent authority, after getting comments/concurrence of FD. Departmental Officers can resort to deviations up to the limit of delegated powers having regard to the fact that the liability should not exceed permissible limit of 10% over A/A & E/S. The action of according approval in principle by CE (C) was not regular because of the magnitude of the deviations as also the liability being beyond permissible limits of 10% over A/A & E/S.
4. As a follow up of the comments as listed in Para 2 and 3 above, placing on record the justifications/detailed reasons for not taking provision of the deviations to such a large scale in the agreement of the work, now being considered necessary for completion of work and why AIP for the said deviations was not obtained from the competent authority, Finance Deptt. has no objection to seeking revised A/A & E/S as proposed from the competent authority.

14. Comments of the Department on comments of Finance Deptt.

It is clarified as under :

Para 1 : The reasons for each quantity have been mentioned in the appropriate column of the abstract.

Para 2 : The proposed deviation items could not be included in the detailed estimate at the time of obtaining technical sanction as the exact condition of structure was ascertained only after dismantling the RCC structure, besides the fact that not only the façade but the strengthening of existing building and problem pertaining to seepage and the other constructional weakness was also required to be carried out. It is, further submitted that detailed estimate was prepared by the Architect Consultant on the basis of the Preliminary Estimate as well as visual appearance of the structure but the factual condition of the structure was much worse than the visual observations which created major deviations. In addition to the structural strengthening, in the original proposal, provision for restoration of only front façade was taken, but during inspection, it was desired that there is a need

to carry out restoration work at outer façade as well as the back portion of the building is a part of same rooms and require similar treatment as per front façade to have a homogeneous façade.

Para 3 & 4: There has been regular visit of the Architect Consultant and the Project Leader of the site and all the requisite samples were duly got approved from the Architect Consultant and wherever changes are suggested, the same have been incorporated which has resulted into deviations in the proposed work. Besides the above, during the course of inspection of the Chairman alongwith Sr. Officers, it was felt that there is a need to carry out the improvement works in whole of the school alongwith restoration of the building, water proofing work, structural cracks, all sensitive historical features, repair of old masonry structure, restoration of green area at the back, illumination of building etc. so as to have the original magnificent elevation in the whole of the complex for which separate proposal is required to be processed. In the meantime, the Principle approval for executing the proposed deviations was obtained from CE (C-II).

15. Legal Implication of the project :

NIL

16. Details of previous Council Resolutions, existing law of Parliament and Assembly on the Subject :

1. Reso. No. IV (A-23) dtd. 20.09.06

"Resolved by the Council that A/A & E/S to the P.E. amounting to Rs. 2,02,00,000/- is accorded.

Further resolved by the Council that during the restoration of N.P. Boys Sr. Sec. School not only the façade but the strengthening of the existing buildings and problems pertaining to seepage and other constructional weaknesses would also be dealt.

Further resolved by the Council that a presentation be made to the Council, highlighting not only façade strengthening of the existing building as well as retrofitting the building for its toilets and plugging seepages, in the next Council Meeting."

2. Reso No. 18 (A-55) dtd. 21.11.07

"Resolved by the Council to award the work to M/S India Guiniting Corporation at their tendered amount of Rs. 2,54,91,739/- which is 86.21% above the estimated cost of Rs. 1,36,89,629/- and also revised A/A & E/S amounted to Rs. 2,54,91.739/- and work to be started in anticipation of confirmation in next Council Meeting".

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

NIL

18. Comments of the Department on the comments of Law Deptt.

NIL

19. Certification by the Deptt.

All CVC guideline have been followed.

20. Recommendation of Deptt. :

The case may be placed before the Council for accord of revised administrative approval and expenditure sanction amounting to Rs. 3,77,98,000/- with a net excess of Rs.1,23,06,261/-.

15. Draft Resolution:

Resolve by the council that revised administrative approval and expenditure sanction amounting to Rs. 3,77,98,000/- with a net excess of Rs.1,23,06,261/- is accorded.

COUNCIL'S DECISION

Resolved by the Council to accord revised administrative approval and expenditure sanction for Rs.3,77,98,000/- for the work of façade restoration of N.P. Boys Sr. Sec. School, Mandir Marg, New Delhi.

It was further decided by the Council that the Chief Vigilance Officer shall look into the reasons for increase in the estimated expenditure leading to Council's revised administrative approval and expenditure sanction on two occasions and shall place his report before the Council for further consideration.

ITEM NO. 19 (A-72)/21.08.2009**1. NAME OF THE PROJECT:**

**Preservation/restoration of heritage building in NDMC area
SH:- Extended project of NP Boys Sr. Sec. School, Mandir Marg,
New Delhi.**

2. NAME OF THE DEPARTMENT CONCERNED:

Civil Engineering Department (Zone-II)

3. BRIEF HISTORY OF THE PROJECT:

N.P. Boys Sr. Sec. School and its surrounding building/structures has survived the hazards of time and provides the tangible link between the past and present giving a continuous cultural identity and is an architecturally significant, carry strong cultural overtones and being a part of cities heritage need care/conservation. This being an essential component in a civilized society through which architectural, aesthetic, social economic, political and cultural values the past are observed, besides it shows an architectural, aesthetic, historic of cultural values with local landmark contributing to the image and identity of the city and thus required to be restored to its old glory by preserving & restoration of the same.

The NDMC had initiated the Façade Restoration of NP Boys Sr. Sec. School at Mandir Marg in the year 2005. This project was limited to the front façade and front landscape of the building. As the work progressed on the project, the NDMC and the project team realized the inadequacy of limiting the project to only the façade and extended the scope to include the restoration of 2 interior courtyards and the up gradation of basic facilities such as water drinking stations and toilets for the students. The Phase-I has been completed.

During one of the inspections of the school by the Chairperson, Chief Architect and CE(C-II), it was decided to extend the scope of the project to include a comprehensive restoration and up-gradation of courtyards, class rooms, all toilets, laboratories i.e., interior and exterior spaces of the building as well as a holistic electrical and plumbing up-gradation in keeping with the historic ambience of the heritage building of the school and the needs and safety of the students and staff.

This phase-II Project therefore entails the restoration of the internal and exterior spaces of the building, structural repairs, improvement and up-gradation of electrical and plumbing services allowing for a holistic restoration and up-gradation of the school building.

Hon'ble Chairman dt. 12.1.09 approved appointment of Consultant for Phase-II accordingly M/s Abha Narain Lambah Associates has been appointed as consultant for phase-II vide Agreement No. 36/EE(BM-I)/AB/2008-09. Thereafter, M/s Abha Narain Lambah consultant has submitted the proposal for the phase-II work.

4 DETAILED PROPOSAL OF THE PROJECT:

An estimate amounting to Rs. 7,06,00,000/- Approx. has been framed to obtain the A/A & E/S from the Council for restoration of the front façade of the building, restoration of water proofing work, structural cracks, all sensitive historical features, repair of old masonry structure, restoration of garden, illumination of building etc. so as to have the original magnificent elevation. Considering the present state of the building, the retrofitting of the structure has been considered in this proposal.

5. FINANCIAL IMPLICATIONS OF THE PROJECT:

M/s Abha Narain Lambah Consultant has submitted the proposal which is duly checked by Planning works out to 7,06,00,000/-. The detail of various sub heads is given here as under :

- | | | |
|--------------------------|-----|------------------------|
| 1. Civil works including | | |
| Structural retrofitting | - | Rs. 6,11,40,917/- |
| 2. Electrical works | - | <u>Rs. 94,58,000/-</u> |
| | | Rs. 7,05,98,917/- |
| | Say | Rs. 7,06,00,000/- |

6. IMPLEMENTATION SCHEDULE WITH TIME LIMIT

12 months from the Award of work.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT.

We concur in the estimate amounting to Rs. 7,06,00,000/- (Rs. Seven Crore six lakh only) as checked by Planning and recommended by CE(c-II), for placing before the Council for consideration, subject to following condition:

1. Copy of approval as mentioned at Sr. No. 1 at P-5/N has not been found with the estimate, same may be placed on record.
2. Being extension of scope of work with regard to taking up various new items/works i.e. inclusion of Courtyard, all toilets. Classrooms etc. etc. as mentioned, DPR showing previous scope of work and now extended scope of work may be prepared and placed on record as per approved policy of NDMC.

3. Permission from DUAC is obtained, if required, for this additional/extended work.
4. Clarification needs whether the expenditure is to be born by NDMC or entire/part of expenditure is to be obtained from government?
5. SE(P) and CE(C-II) may sign the estimate at appropriate places marked for the same having been satisfied that the items/provisions taken in the estimate are correct and technically viable.
6. This seems to be a work to be executed by specialized agencies only, therefore the department may take special care while framing DE and NIT for the same.

This issue with the approval of F.A.

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

The Finance Department has concurred the case subject to the above cited condition which are clarified/replied here as under :

1. Copy of the approval has been added and placed in the file.
2. As the Phase-I work has been completed and it was felt for rehabilitation, structural strengthening and renovation of the remaining area and accordingly the consultant was appointed for Phase-II work. Based on the consultant recommendations required for work necessary estimate was submitted by the consultant as being consultancy has been taken and therefore, detailed project report is not considered.
3. As this is renovation and strengthening of existing structure and hence DUAC approval is not considered for this project.
4. The expenditure has been charged under head of account H.1.8 vide Item No. 418.2 where Rs. 50.00 lacs exists during current financial year and additional funds shall be sought in R.E. Efforts will be made for getting the funds from Delhi Government also.
5. Needful done.
6. Noted please.

Finance has seen these clarifications and there are no further comments to offer.

9. LEGAL IMPLICATION OF THE PROJECT/SUBJECT:

NIL

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

1. Reso. No. IV (A-23) dt. 20.9.2006

"Resolved by the Council that administrative approval & expenditure sanction to the Preliminary Estimate amounting to Rs. 2,02,00,000/- is accorded.

Further resolved by the Council that during the restoration of N.P. Boys Sr. Sec. School not only the façade but the strengthening of the existing buildings and problems pertaining to seepage and other constructional weaknesses would also be dealt.

Further resolved by the Council that a presentation be made to the Council, highlighting not only façade strengthening of the existing building as well as retrofitting the building for its toilets and plugging seepages, in the next Council Meeting".

2. Reso No. 18 (A-55) dt. 21.11.07

"Resolved by the Council to award the work to M/s India Guiniting Corporation at their tendered amount of Rs. 2,54,91,739/- which is 86.21% above the estimated cost of Rs. 1,36,89,629/- and also revised A/A and E/S amounted to Rs. 2,54,91,739/- and work to be started in anticipation of confirmation in next Council Meeting".

3. Reso. No. Item No. 11(A-95) dt. 31.12.2008

"Resolved by the Council to accord revised administrative approval and expenditure sanction for Rs. 3,77,98,000/- for the work of façade restoration of N.P. Boys Sr. Sec. School, Mandir marg, New Delhi.

It was further decided by the council that the Chief Vigilance Officer shall look into the reasons for increase in the estimated expenditure leading to Council's revised administrative approval and expenditure sanction two occasions and shall place his report before the Council for further consideration".

13. COMMENTS OF THE LAW DEPARTMENT ON THIS PROJECT:

LA has concurred the case.

14. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF LAW DEPARTMENT:

NIL

13. CERTIFY THAT ALL CENTRAL VIGILANCE COMMISSION (CVC) GUIDELINES HAVE BEEN FOLLOWED WHILE PROCESSING THE CASE.

Certified that all central vigilance commission (CVC) guidelines have been followed while processing the case.

14. RECOMMENDATIONS:

The case is placed before the council for according administrative approval and expenditure sanction of the preliminary estimate amounting to Rs.7,06,00,000/-(Rs. Seven crore six lacs only) for work of Preservation/restoration of heritage building in NDMC area SH: Extended project of NP Boys Sr. Sec. School, Mandir Marg, New Delhi and permission to take necessary further action in anticipation of the confirmation of the minutes of the council.

15. DRAFT RESOLUTION:

Resolved by the Council that A/A & E/S is accorded to the preliminary estimate amounting to Rs.7,06,00,000/- (Rs. Seven crore six lacs only)for work of Preservation/restoration of heritage building in NDMC area SH: Extended project of NP Boys Sr. Sec. School, Mandir Marg, New Delhi and permission has been granted for taking further necessary action in anticipation of confirmation of the minutes of the council.

COUNCIL DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.7,06,00,000/- for the work of Preservation/restoration of heritage building in NDMC area; SH: Extended project of NP Boys Sr. Sec. School, Mandir Marg, New Delhi.

The Council also directed that as decided vide Resolution No.11(A-95) dated 31.12.2008, in the Council's Meeting No.13/2008-09, the report of the Vigilance Department regarding increase in the cost of project should be placed before the Council in its next meeting.

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

ITEM NO. 41 (S-01)/30.09.2009**REPORT OF THE VIGILANCE DEPARTMENT ON RESOLUTION NO. 11(A-95) DATED 31.12.2008.****Name of subject / project :****Preservation/Restoration of Heritage Building in NDMC area. SH: Façade Restoration of N.P. Boys Sr. Sec. School, Mandir Marg, New Delhi.****Brief History :**

The aforesaid item was placed in the Council meeting held on 31.12.2008 to accord revised administrative approval and expenditure sanction amounting to Rs.3,77,98,000/- with the net excess of Rs.1,23,06,261/-. The Council resolved to accord the revised administrative approval and expenditure sanction and it was further decided by the Council that the CVO shall look into the reasons for the increase in the estimated expenditure leading to Council's revised administrative approval and expenditure on two occasions and shall place his report before the Council for further consideration.

Accordingly, the files were summoned and examination of the relevant records has revealed the following reasons for accord of revised administrative approval and expenditure sanction for two times :-

1. Consequent upon the administrative approval and expenditure sanction of the Council amounting to Rs.2,02,00,000/- vide Resolution dated 20.09.2006, the tenders were invited and the Council, vide Resolution dated 21.11.2007, resolved to award the work to M/s Guniting Coporation at their tendered amount of Rs.2,54,91,739/-. At that stage the amount escalated as the estimate was prepared in 2006 and the cost of the material had increased thereafter.
2. Presently the cost has increased mainly on the following two reasons :-
 - (i) Due to the increase in the scope of strengthening of the existing buildings as the exact condition of the structure could only be ascertained after removal/dismantling of the plaster.
 - (ii) The scope of the work has also been increased as during the inspections carried out by the Chairperson, Architect Consultant and other Sr. Officers, the Architect Consultant suggested to also include the rear portion of the rooms of the façade in the project.

(iii) Lowering of the road level.

3. Here it is not out of context to mention that when an expert Architect Consultant was engaged to examine the requirement of the proposed project to be carried out to prepare an estimate for the said works, all the above aspects should have been examined before submission of the estimate. Had all the above aspects taken into account, the cost of the project would not have increased requiring revised administrative approval and expenditure sanction.

Chairperson has seen the report.

The report is placed before the Council for information.

COUNCIL'S DECISION

Information noted.

ITEM NO. 03 (A-19)**1. Name of subject/project: -**

Sub:-S/R of roads in NDMC area.

Sh:-Construction of Cement Concrete Pavement for lanes & colonies of the Sector-II DIZ area.

2. Name of the Department : Civil Engineering Department.**3. Brief History of the Subject.**

- (a) The case was discussed in Special Council meeting on 03 Sep.'09. It was resolved by the Council that work may be taken up by NDMC itself out of its own funds (**Annexure-A, See pages 36 - 38**), necessary provisions has been made in budget 2012-13 & Revised estimate 2011-12.
- (b) The request for sending formal communication to NDMC for transfer of public streets maintained by them has been sent to Director General (Works).
- (c) CRRI was engaged to evaluate these roads & recommend the design & specifications for concrete roads. CRRI has submitted design report & based on this design report estimated for provision of concrete roads have been framed by the filed staff colony wise.
- (d) Accordingly the Preliminary Estimate for providing concrete roads, lane/by lanes in Sector-II, DIZ area including improvement of drainage for Rs. 9,98,76,000/- has been prepared by the filed staff based on recommendations of CRRI which has been scrutinized by the Planning Department.
- (e) Preliminary Estimate has been concurred by the Finance Department.

4. Detailed proposal of the subject/project:

- a) HDPE pipe ducts for laying of Elect./communication cables.
- b) Precast RCC pipe 300 mm dia for drainage.
- c) Ready Mix concrete M-10 & M-40.
- d) Precast RCC manhole covers, gully chambers, manholes, RCC works etc.

5. Financial Implications of the proposed project:

The financial implications of the proposal works out to Rs. 9,98,76,000/-

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

The schedule time for completion of project is Eighteen months after award of work

7. Comments of the Finance Department on the subject with dairy no. and date:

The Finance Department vide dairy No. 2627/Finance/(R-Civil) dt. 20.12.11 has concurred the proposal.

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

No comments in view of concurrence by Finance Department.

9. Legal implication of the subject/project.

Not applicable.

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

Council vide special meeting No. 06/2009-10 held on 03 Sep.'09 has resolved that work may be taken up by NDMC itself out of its own funds.

11. Comments of the Law Department on the subject

It has no legal issue.

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

No comments in view of concurrence by the law Department.

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

N.A.

14. Recommendations:

The case is placed before the council for consideration and

- (i) Accord of approval for taking over of colony roads/lanes/service roads & parks form CPWD in Sector-II, DIZ area of NDMC area for its maintenance, upgradation/improvement to concrete roads in anticipation of formal communication from CPWD to transfer the public streets & parks maintained by CPWD to NDMC.
- (ii) Approval for carrying out the maintenance, upgradation/improvement works in the area taken over from CPWD out of NDMC's funds in anticipation of receipt of direction vesting of these roads/streets & parks form Central Government.
- (iii) Accord of Administrative Approval & Expenditure Sanction for Rs.9,98,76,000/- for the work "Construction of Cement Concrete Pavement for lanes & colonies of the Sector-II DIZ area".
- (iv) To initiate further action in anticipation of confirmation of Minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to :

- (i) Accord approval for taking over of colony roads/lanes/service roads & parks form CPWD in Sector-II, DIZ area of NDMC area for its maintenance, upgradation / improvement to concrete roads in anticipation of formal communication from CPWD to transfer the public streets & parks to NDMC.
- (ii) Accord approval for carrying out the maintenance, upgradation / improvement works in the area taken over from CPWD out of NDMC's funds in anticipation of receipt of direction vesting of these roads/streets & parks form Central Government.
- (iii) Accord Administrative Approval & Expenditure Sanction for Rs.9,98,76,000/- for the work "Construction of Cement Concrete Pavement in lanes & colonies of the Sector-II DIZ area".

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

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

**MINUTES OF THE COUNCIL'S SPECIAL MEETING NO.06/2009-2010 HELD ON 03.09.2009
AT 3-00 P.M..**

MEETING NO.	:	06/2009-10
DATED	:	03.09.2009
TIME	:	3-00 P.M.
PLACE	:	PALIKA KENDRA, NEW DELHI.

PRESENT :

- | | | | |
|-----------|------------------------|----------|--------------------|
| 1. | Sh. Parimal Rai | - | Chairperson |
| 2. | Sh. Karan Singh Tanwar | - | Member |
| 3. | Sh. Mukesh Bhatt | - | Member |
| 4. | Sh. Gyanesh Bharti | - | Secretary, NDMC |

The meeting was adjourned for want of quorum.

Sd/-

**(GYANESH BHARTI)
SECRETARY**

Sd/-

**(PARIMAL RAI)
CHAIRPERSON**

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

**MINUTES OF THE COUNCIL'S ADJOURNED SPECIAL MEETING NO.06/2009-2010 HELD
ON 03.09.2009 AT 3-15 P.M.**

MEETING NO.	:	06/2009-10
DATED	:	03.09.2009
TIME	:	3-15 P.M.
PLACE	:	PALIKA KENDRA, NEW DELHI.

PRESENT :

- | | | | |
|----|------------------------|---|--------------------|
| 1. | Sh. Parimal Rai | - | Chairperson |
| 2. | Sh. Karan Singh Tanwar | - | Member |
| 3. | Sh. Mukesh Bhatt | - | Member |
| 4. | Sh. Gyanesh Bharti | - | Secretary, NDMC |

ITEM NO.	SUBJECT	DECISION
1	Report on agreement of Repair/Renovation, Maintenance and Management of Public Conveniences on BOT basis with advertisement rights – North of Rajpath – Opinion of the Additional Solicitor General of India, Sh. Prag Tripathi, dated 13.07.2009 & Sh. A.S. Chandhiok dated 21.08.2009.	<p>After detailed discussions and deliberation and considering the opinion of the Addl. Solicitor General, the Council resolved as under:-</p> <p>(i) Since M/s City Lifelines Travels Pvt. Ltd. has failed to meet its obligations under the concession agreement and has abandoned the same, the steps should be taken to encash the bank guarantee of Rs.9,30,00,000/- today itself.</p> <p>(ii) Steps should be taken to blacklist M/s City Lifelines Travels Pvt. Ltd.</p> <p>(iii) Steps should be taken to invite fresh tender.</p> <p>(iv) Steps should be taken to enforce recovery of damages/loss to the NDMC beyond Rs.9,30,00,000/- @ Rs.1.55 Crore per month, as per agreement, for the period of default.</p> <p>It was also suggested by the Council that the decision as taken above, may be shown to the other Members also, by circulation.</p> <p>It is further resolved by the Council that the Department may take action in anticipation of confirmation of the Minutes by the Council.</p>

Short Notice Discussions :-

In the meeting, there was a short notice discussion, about the expenditure to be incurred on the roads and parks which have been transferred by the CPWD to the NDMC. It was pointed out during discussions that so far the stand of the Council is that the work may be taken up as a deposit work and demand raised against the CPWD. The CPWD is not making any payment and the demand against the CPWD is on an increase.

It was resolved by the Council that the work may be taken up by the NDMC itself out of its own funds, necessary provisions will be made in the Budget of 2010-11 and Revised Estimate of 2009-10.

The above minutes were confirmed in the next ordinary Meeting of the Council, held on 30.09.2009 vide Item No. 02 (C-20).

Sd/-
(GYANESH BHARTI)
SECRETARY

Sd/-
(PARIMAL RAI)
CHAIRPERSON

ITEM NO. 04 (A-20)

- 1. Name of Subject:- Construction of additional block on Palika maternity Hospital and addition / alteration of the existing building at Lodhi Colony.
SH:- Survey Report.**

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

- 3. Brief History of the subject / Project:**

Presently Palika Maternity Hospital is in operation in existing building at Lodhi Colony, which is approximately 26 years old. The existing hospital besides being in repairable state is also not able to meet the functional requirements as intimated by concerned user. Accordingly, it is proposed to be renovated with some addition/ alterations to meet the functional and medical requirements as required by medical authorities and QCI. Besides this, an additional block is also to be constructed after demolition of the existing service centre and flat (one Type V) to provide more facility keeping in view the increasing population of this area and in compliance of QCI instructions. In this connection, a request of Coordinator (Med./PH) for the above stated work was received. Accordingly, the drawings were also issued by the Architect Department for the construction of additional block including addition/ alteration in the existing building.

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

The existing building of service centre and type V Flat which is 41 years old, is coming in the alignment of the proposed construction of additional block in Palika maternity hospital and is required to be demolished. The survey report of the existing building has been prepared and got concurred from the planning and finance department for a sum of Rs. 4,25,132/- of the cost the residual building to be written off and a sum of Rs.17,804/- as a reserve price fixed for the demolished material. The details of working out the amount to be written off is in the enclosed **Annexure 'A' (See page 41)**. Building, presently being used as Palika Maternity Hospital is proposed to be renovated for its use as per requirements of user and QCI. Besides this, an additional block is also to be constructed after demolition of the existing service centre and flat (Type V - One No.)

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

Rs.4,25,132/- is to be written off on account of demolition of the existing building coming in the alignment of the proposed project with a sum of Rs.17,804/- as reserve price for demolished material.

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

To be considered as part of the main project with a completion period of 12 months from the date of award.

- 7 Comments of the Finance Department at the subject.**

Finance Deptt has concurred the proposal vide Diary No.2626 dated 20.12.2011 and seen the Agenda. It has been suggested by Finance Deptt. that working details of Survey Report to be annexed with Agenda.

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

No comments in view of concurrence of Finance Deptt.. The details of basis of working out the survey details have been enclosed as **Annexure 'A' (See pages)**.

9. Legal implication of the subject/project. NIL.**10. Details of previous Council Resolution / Existing law of Parliament and Assembly on the subject.**

Resolution No.06(A-13) dated 24/08/2011.

11. Comments of the Law Department on the subject/Project. NIL**12. Comments of the Department on the comments of the Law Department.** NIL**13. Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed, while processing the case.**

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

14. Recommendation.

The case is placed before the council for the approval of the survey report with a amount of Rs.4,25,132/- for written off and a reserve price of Rs.17,804/- on account of demolished material and recommended that the further action in the matter be taken in anticipation of the confirmation of the minutes of the council.

15 Draft Resolution.

Resolved by the council that the survey report with a written off amount of Rs.4,25,132/- and reserve price of Rs.17,804/- is accepted and be written off from the books on account of demolition of the existing structure.

It is also resolved that further action may be taken by the department in anticipation of the confirmation of the minutes of the council.

COUNCIL'S DECISION

CE (C) –II explaining the proposal mentioned that due to typographical error in Annexure 'A' in column 13 may be read as :

Reserve price (11-10)	3,11,712.00 – Rs.2,93,908.00 = Rs.17,804.00
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Resolved by the Council that the survey report with a written off amount of Rs.4,25,132/- and reserve price of Rs.17,804/- is accepted and be written off from the books on account of demolition of the existing structure.

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

Annexure 'A'

CIVIL ENGINEERING DEPARTMENT
N.D.M.C., NEW DELHI
SURVEY REPORT OF IMMOVABLE PROPERTY

Division C-III

Sub Division IV

1. Name of building:- Construction of additional block in Palika maternity Hospital and addition / alteration of the existing building at Lodhi Colony

2. Detailed description of building (Plinth area, accommodation, temporary, permanent, semi permanent, framed or traditional etc.)

- (a) Service Centre : 275.67 Sq.m.
- (b) Flat : 131.75 Sq.m.
3. Capital cost : Rs.51,690.00
4. Year of construction : 1970
5. Life of building : 55 years as per CPWD manual 2007 Section 2.5.1 (e) page 8
6. Present age of building : 41 Years

7.	Present cost of replacement of the building on plinth area rates etc. (a)	Salvage % age (b)	Salvage Value (c)
(i)	Building work	6% of Rs.47,95,741.00	Rs.2,87,744.00
(ii)	Sanitary & water supply installations	25% of Rs.5,55,683.00	Rs.1,38,921.00
(iii)	Electrical installations	25% of Rs.5,99,467.00	Rs.1,49,867.00
	Total		Rs.5,76,532.00

8.	Description Sl.3-Sl.7 (c) _____ x Sl.6 Sl.5	Rs.51,690.00-5,76,532.00 _____ x41= (-) Rs. 3,91,246.00 55
9.	Book value (Sl.3.-Sl.8)	Rs.51,690.00 – (- Rs.3,91,246/-) = Rs.4,42,936.00
10.	Cost of dismantling	Rs.2,93,908.00
11.	Scrap value (cost of salvaged materials)	Rs.3,11,712.00
12.	Amount to be written off (Sl.9+Sl.10-Sl.11)	Rs.4,42,936.00 + 2,93,908.00 – 3,11,712.00 = Rs.4,25,132.00
13.	Reserve price (10-11)	Rs.2,93,908.00 – 3,11,712.00 = (-) Rs.17,804.00

ITEM NO. 05 (B-16)

- 1. Name of Work:** Purchase of 33KV, HT(XLPE) Cable of size 400 sq. mm/3Cores, duly ISI marked.
- 2. Department:** ELECTRICITY DEPARTMENT
- 3. Brief History of the Proposal:** Procurement action has been initiated for purchase of 39.630 KM., 33 KV, HT(XLPE) Cable of size 400 sq. mm/3Cores, against various sanctioned estimates, as per details mentioned below:-

S.No	Description	Ref. of sanction
1.	Laying of 33KV , 3Cx 400 mm.sq. (XLPE) cable emanating from 220/33KV ESS at Trauma Centre to various 33KV ESSs. (Estt. No. E-111/EEP-33KV/2010-11). Estimated cost: Rs. 248.37 Lacs	Council vide item no. <u>09(B-31)</u> 24-11-2010 (Annexure-I See pages 48 - 50)
2.	Laying of 33KV , 3Cx 400 mm.sq. (XLPE) cable emanating from 220/33KV ESS at Harish Chandra Mathur lane to various 33KV ESS. (Estt. No. E-112/EEP-33KV/2010-11). Estimated Cost; Rs. 397.86 Lacs	Council vide item no. <u>08(B-30)</u> 24-11-2010 (Annexure-II See pages 51 - 53)
3.	Estb. of 33KV ESS at Handloom complex, Janpath lane. (Estt. No. E-109/EEP-33KV/09-10). Estimated cost: Rs. 735.69 Lacs	Council vide item no. <u>05(B-22)</u> 27-10-2010 (Annexure-III See pages 54 - 56)
4.	Repl. of 33KV Outdoor Switchgear with Indoor GIS system at 33KV ESS at Nehru Park . (Estt. No. E-115/ EEP-33KV/2010-11) Estimated cost: Rs. 385.35 Lacs	Council vide item no. <u>07(B-29)</u> 24-11-2010 (Annexure-IV See pages 57 - 59)
5.	Estb. 33KV ESS at Aliganj, Jorbagh. (Estt. No.E-103/ EEP-33KV/09-10) Estimated cost: Rs. 1450.64 Lacs	Council vide item no. <u>25(B-14)</u> 15-07-2009 (Annexure-V See pages 60 - 62)
6.	Repl. of old 300 mm.sq./3 cores PILCA cable with 33KV 400mm.sq./3 cores XLPE cable from ESS Exhibition ground to 33KV ESS at Tilak Marg (Estt. No. E-110/EEP-33KV/2009-10). Estimated cost: Rs. 62.91 Lacs (G) and 45.03Lacs(N)	Chairman vide item no. <u>08(B-iii)</u> 14-05-2010 (Annexure-VI See pages 63 - 65)

4. Detailed Proposal of the Subject:**First Call:**

Tenders in three covers system for the purchase of 39.630 KM. of 33KV HT(XLPE) Cable of size 400sq.mm./3Cores, duly ISI marked were invited from manufacturers through e-procurement system.

In response to the tender Enquiry, offers of the following six firms were received on due date of opening through e-procurement system i.e. on 07.04.11 :-

1. M/s Central Cables Ltd.

2. M/s Havell's India Ltd.
3. M/s Hindusthan Vidyut Product Ltd.
4. M/s Krishna Electrical Industries Ltd.
5. M/s Polycab wires Pvt.Ltd.
6. M/s Universal Cables Ltd.

The Techno-commercial offers of the above all firms were scrutinized and subsequently examined by the Planning Division. But the Price bid could not be opened and tender was dropped with the prior approval of CE(E-II) due to:-

- a) none of the offers submitted by above firms were fulfilling the Techno-commercial terms, conditions of NIT.
- b) closing of e-portal of than Application Service Provider i.e. C-1 India on whose e-portal the tender was published, during the validity period of offers, the Price Bid could not be opened.

Second Call:-

With the prior approval of CE(E-II), the fresh Tenders (in three covers systems) were invited through e-portal of new Application service provider i.e. NIC. On the due date opening, which was 20-09-2011, the tenders could not be opened due to Technical problem of e-portal. So, tenders were opened through e-procurement system on 21-09-2011 and offers of following five tendering firms were received:-

1. M/s Gemscab Industries Ltd.
2. M/s Hindusthan Vidyut Products Ltd.
3. M/s Krishna Electrical Industries Ltd.
4. M/s KEI Industries Ltd.
5. M/s RAVIN CABLES LTD.

The Technocommercial offers of the above all firms were scrutinized and subsequently examined by the Planning Division.

All the tendering firms were found eligible for Price Bid opening, except M/s Gemscab Industries Ltd., which did not meet the eligibility criteria as per NIT requirement i.e. Type Test report of the item offered.

With the prior approval of CE(E-II) the price bids of all the eligible participating firms, were opened on 13.12.11. The detailed position of the each tendering firm is tabulated as under:-

Name of the firms	Quoted Rates/ Computed Rates per KM. Rs.	Total Computed Cost for 39.630 KM cable Rs.	Status of the firms.
M/s Gemscab Industries Ltd.	-----	-----	Not Eligible, as the Type test report of the offered item is not submitted.
M/s Krishna Electrical Industries Ltd.	<u>12,33,100/-</u> 14,06,111.49	<u>4,88,67,753/-</u> 5,57,24,198.19	Eligible
M/s Hindusthan Vidyut Products Ltd.	<u>13,80,700/-</u> 15,68,870.42	<u>5,47,17,141/-</u> 6,21,74,331.65	Eligible
M/s KEI Industries Ltd.	<u>16,18,000/-</u> 64,30,15,900.53	<u>6,41,21,340/-</u> 25,48,27,20,138/-	Eligible
M/s RAVIN CABLES LTD.	<u>14,20,000/-</u>	<u>5,62,74,600/-</u>	Eligible

	16,58,585.45	6,57,29,731.48	
--	--------------	----------------	--

M/s Krishna Electrical Industries Ltd. has emerged as the lowest eligible tendering firm for purchase of 39.630 KM., 33KV HT XLPE Cable of size 400 sq mm/3C with their basic rate of Rs.1233.10 per meter + ED @ 10.3% + CST@ 2% against form "C"+ Freight @Rs.18-80 per meter, thus making computed cost to Rs.14,06,111.49 per KM. & at a total computed cost of Rs.5,57,24,198/- , on the terms, conditions & specifications of NIT, detailed as under:-

Description	Basic Rates per meter Rs.	Excise Duty	CST/VAT	Freight per meter Rs.	Cost per KM Rs.	Total Computed Cost Rs.
M/s Krishna Electrical Industries Ltd. (39.630 KM)	1233.10	@ 10.3% Rs.127.01 (or as applicable)	CST @ 2% against form "C" Rs.27.20	@18.80	14,06,111.49	5,57,24,198/-

The Ex-works L-I quoted rates have been compared with the current market rates and found 28.80% below as under:-

Description	L-I quoted rates by M/s Krishna Electrical Industries Ltd. Rate Rs.	As per M/s Polycab wires Pvt.Ltd. Rate Rs.	As per M/s Cable Corporation of India Ltd. Rate Rs.	As per M/s Universal Cables Ltd. Rate Rs.	Quoted rates of the lowest firm % above / below the L-I offer from M/s Polycab Wires Pvt. Ltd.
11KV, Cross linked Polyethylene (XLPE) insulated cable of size 300mm.sq./3 cores, duly ISI marked, as per IS:7098(Part –II) and specifications attached.	1233.10/- per meter (Ex-works)	1,732/- per meter (Ex-works) L-I OFFER	1,915.50 per meter (Ex-works) L-II OFER	2,034.10 per meter (Ex-works) L-III OFER	28.80% below

The rates of lowest tendering firm are 5.1% above the estimated cost put to tender based on Last Purchase Rates vide S.O. no. 21/EE(E) S-II/2010-11 dated 31-07-10 (**Annexure –VII, See pages 66 - 70**).

The Ex-works L-I quoted rates have also been compared and found justified on the basis of latest order of BSES Rajdhani Power Ltd. dated 23-06-2011 placed on the M/s HVP Ltd. as detailed below:-

Description	L-I quoted rates by M/s Krishna Electrical Industries Ltd.		Justified rates on the basis of order of BSES Rajdhani Power Ltd.		L-I Ex -works quoted rates % above/below the Ex-works rates of order of BSES Rajdhani Power Ltd.
	Rate Rs.	unit	Rate Rs.	unit	
11KV, Cross linked Polyethylene (XLPE) insulated cable of size 300mm.sq./3 cores, duly ISI marked, as per IS:7098(Part -II) and specifications attached.	1233.10 (Ex-works)	p. mt.	1,661.24 (Ex-works)	p.mt.	25.77% below

The rates of the L-I firm M/s Krishna Electrical Industries Ltd. are found competitive, lowest, reasonable and justified. The firm has agreed to all terms, conditions and specifications of the NIT.

The validity of offer of the firm is upto 31-01-2012.

5. Financial Implications: Rs.5,57,24,198/- (Rupees Five crores fifty seven lacs twenty four thousand one hundred ninety eight only).

6. Implementation Schedule: Commencing with 9,630 meters within one month from the date of issue of Supply Order and completion @6000 meters per month thereafter or completion in six months from the date of issue of Supply Order.

7. Comments of the Finance Department: Finance vide diary No.2763/finance/R-Elect. Dated 11-01-12 has concurred in the proposal of the department to place Supply Order on M/s Krishna Electrical Industries Ltd. for the purchase of 33KV HT(XLPE) cable of size 400 mm.sq./3 cores , duly ISI marked (39,630 meters) at their quoted amount of Rs. 5,57,24,198/- on the terms , conditions and specifications of NIT.

8. Comments of the Department on comments of Finance Deptt. : --NIL--

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

10. Details of previous Council Resolution: Details of sanctioned Estimates for the purchase of cable are as under:-

S.No	Description	Ref. of sanction
1.	Laying of 33KV , 3Cx 400 mm.sq. (XLPE) cable emanating from 220/33KV ESS at Trauma Centre to various 33KV ESSs. (Estt. No. E-111/EEP-33KV/2010-11). Estimated cost: Rs. 248.37 Lacs	Council vide item no. <u>09(B-31)</u> 24-11-2010
2.	Laying of 33KV , 3Cx 400 mm.sq. (XLPE) cable emanating from 220/33KV ESS at Harish Chandra Mathur lane to various 33KV ESS. (Estt. No. E-112/EEP-33KV/2010-11). Estimated Cost; Rs. 397.86 Lacs	Council vide item no. <u>08(B-30)</u> 24-11-2010
3.	Estb. of 33KV ESS at Handloom complex, Janpath lane. (Estt. No. E-109/EEP-33KV/09-10). Estimated cost: Rs. 735.69 Lacs	Council vide item no. <u>05(B-22)</u> 27-10-2010

4.	Repl. of 33KV Outdoor Switchgear with Indoor GIS system at 33KV ESS at Nehru Park . (Estt. No. E-115/ EEP-33KV/2010-11) Estimated cost: Rs. 385.35 Lacs	Council vide item no. <u>07(B-29)</u> 24-11-2010
5.	Estb. 33KV ESS at Aliganj, Jorbagh. (Estt. No.E-103/ EEP-33KV/09-10) Estimated cost: Rs. 1450.64 Lacs	Council vide item no. <u>25(B-14)</u> 15-07-2009
6.	Repl. of old 300 mm.sq./3 cores PILCA cable with 33KV 400mm.sq./3 cores XLPE cable from ESS Exhibition ground to 33KV ESS at Tilak Marg (Estt. No. E-110/EEP-33KV/2009-10). Estimated cost: Rs. 62.91 Lacs (G) and 45.03Lacs(N)	Chairman vide item no. <u>08(B-iii)</u> 14-05-2010

11. Comments of Law Department: Law department has already recorded that it has no Law point. However to show urgency in placing the order, please bring in the agenda, department's correspondence with the party and chances of increase in rates, as indicated by the party and refusal to extend date beyond 31.01.2012.

12. Comments of the department on the comments of Law Department:
Noted and need full done.

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

14. Recommendations of the Department: The Chairperson has accorded approval dated 16-01-2012 to place the case before the Council for consideration and decision.

In this case, the tender was opened on 20.09.2011 in three cover system with a validity of 120 days which was to expire on 20.01.2012. After opening of cover I & II(i.e. eligibility condition and techno-commercial offers) the financial bid was opened on 13.12.2011. The L-1 firm M/s Krishna Electrical Industries Ltd. was requested on 19.12.2011 to extend the validity of the tender offer upto 29.02.2012. However, this was not agreed to by the party as per their letter dated 26.12.2011 (**Annexure –VIII, See page 71**) and they extended the validity only upto 31.01.2012 with the reason that the prices of raw material have gone up and are not workable as on date.

Approval of the Finance Deptt. was received on 11.01.2012, there was no meeting of the Council thereafter and as such, the Department was left with no alternative except to place the matter before the Chairperson to permit placing of the order before 31.01.2012 to save the tender limitations. The Chairperson approved Department's proposal subject to the approval of the Council.

The first meeting of the Council after 26.12.2011 is fixed for 09.02.2012. The proposal is put up to the Council for approval of the tender and post facto approval of placing of the order to the L-1 firm M/s Krishna Electrical Industries Ltd., which as aforesaid was inevitable. The order had to be placed to meet the requirement and also to avoid re-tendering which may result in higher tender cost.

---- The cable is urgently required for drawing the power from 220 KV Electric Substations at Harish Chandra Mathur Lane and Trauma Centre of DTL and other works.

----- Further, as per the minutes of the meeting of steering Committee held in the office of ED(Tech.) DTL on 23-11-2011, wherein the DTL has stressed that in the absence of proper down stream system of NDMC, the capital assets would not be utilized properly for the public use & Chairman steering committee stressed NDMC to take immediate action in the interest of general public.

---In case this tender is to be dropped, the fresh tendering process will take another five to six months time for finalization and NDMC would not be able to utilize the system in the coming summer season.

In view of the above kind approval of Chairperson was solicited to place the Supply Order in anticipation of approval of Council.

Accordingly, Supply Order no. 29/EE(E)S-II/2011-12 dated 23-01-2012 (**Annexure –IX, See pages 72 - 75**) has been placed with the prior approval of the Chairperson dated 20-01-2012, on L-I tendering firm M/s Krishna Electrical Industries Ltd. for purchase of 39.630 KM, 33KV, HT (XLPE) Cable of size 400 sq mm/3C, from., with their basic cost of Rs. 4,88,67,753/- + ED @ 10.3% (or as applicable) + CST@ 2% against form "C"+ Freight @Rs.18.80 per meter , thus making total computed cost of Rs.5,57,24,198/-, on the terms, conditions & specifications of NIT.

The case is now laid before the Council for according approval to the action taken by the department in anticipation to the approval of Council as explained above.

15. Draft Resolution: Resolved that the recommendations of the department as contained in Para-14 are accepted.

COUNCIL'S DECISION

Explaining the proposal CE (E)-II indicated that on page 45, in the table showing comparison of L-1 rates with market rates and BSES rates, 11KV XLPE Cable of 300mm.sq./3 cores may be read as 33 KV (XLPE) Cable of size 400 sq.mm/3 cores. He also mentioned that no cables of this specification was available in stock for the works listed in the proposal.

Resolved by the Council, by majority, to approve ex post facto, the action taken by the Department, with the consent of the Chairperson.

ANNEXURE – I**ITEM NO. 09 (B-31)/24.11.2010****1. NAME OF WORK:**

Laying of 33KV, 3Cx400sq.mm (XLPE) cable emanating from 220/33KV Trauma Centre to various 33KV ESS.

2. Name of the Department- ELECTRICITY DEPARTMENT**3. Brief history of the proposals-**

The Electric Sub-Station 220/33 KV at Trauma Centre with transformation capacity 200 MVA (2x100 MVA) is to be established by M/S DTL in order to provide system reliability and strengthening of power network. Due to saturation limit of existing Sub-stations 220/66KV at Park Street, Ridge Valley (under commissioning), Sri Fort & Kirlokri grid and restricted evacuation of power demand from the DTL sub-stations, it has become very essentials to establish 220/33KV Sub-stations in the NDMC areas by the DTL to meet the growing demand of power supply. Further, this plan is also considered under the Functional Plan 2021 to meet the load growth pattern of power supply in NDMC area.

Accordingly, it has been proposed to provide various feeders of 3CX400 mm² for utilization of transformation capacity of the 220/33KV ESS. These emanating feeders will add more reliability and strengthening to the existing and new 33/11KV ESS to provide uninterrupted power supply to the VVIP area.

4. Detailed proposal on the Project-

For providing smooth and uninterrupted power supply from the existing 220KV ESS Trauma Centre following is being proposed: -

- (i) Laying of 33KV, 400mm²/3C XLPE Cable from 220KV ESS Trauma Centre to 33KV ESS Trauma Centre (2 x .525 Km).....1.05 Km.
- (ii) Laying of 33KV, 400mm²/3C XLPE Cable from 220KV ESS Trauma Centre to 33KV ESS AIIMS (3 x 2Km).....6 Km.
- (iii) Laying of 33KV, 400mm²/3C XLPE Cable from 220KV ESS Trauma Centre to 33KV ESS Kidwai Nagar (2 x 1.6Km).....3.2 Km.
- (iv) Laying of 33KV, 400mm²/3C XLPE Cable from 220KV ESS Trauma Centre to 33KV ESS Rajiv Gandhi Bhawan0.525 Km.
 - A feeder of size 3Cx400mm² (XLPE) is already laying between 33KV ESS Trauma Centre and 33KV ESS Rajiv Gandhi Bhawan. The existing cable shall be dismantled from existing 33KV ESS Trauma Centre and shall be terminated to new 220/33KV ESS Trauma Centre for which additional cable of 525 meters is required.
- (v) Laying of 33KV, 400mm²/3C XLPE Cable from 220KV ESS Trauma Centre to 33KV ESS State Guest House.....0.525 Km.
 - A feeder of size 3Cx400mm² (XLPE) is already laying between 33KV ESS Trauma Centre and 33KV ESS State Guest House. The existing cable shall be dismantled from existing

33KV ESS Trauma Centre and shall be terminated to new 220/33KV ESS Trauma Centre for which additional cable of 525 meters is required.

5. Financial Implications-

An estimate amounting to Rs 248.37 Lacs including 3% contingencies has been prepared to cover the cost of the above work.

The expenditure shall be chargeable to the Head of A/c E-4-1 under the Original works for which a budget provision of Rs. 124.185 Lacs has been proposed in the RE 2010-11 and subsequently in BE-2011-12.

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

The scheme will be complete within 10 months after sanction of estimate & shall be executed departmentally / contract.

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

The Finance Deptt. has concurred the estimate vide diary No. 2375 dated 02.11.2010 with no further comments.

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

No Comments

9. Legal implications of the Project: -

No legal implication is involved.

10. Details of Previous Council Resolution:-

Nil

11. Comments of the Law Deptt. on the Project:

Nil

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

Nil

13. Certificate on CVC Guidelines:-

All CVC guidelines shall be adhered to while processing the case.

14. Recommendation:-

The estimate amounting to estimate amounting to Rs 248.37 Lacs for Laying of 33KV, 3Cx400sq.mm (XLPE) cable emanating from 220/33KV Trauma Centre to various 33KV

ESS may be placed before the Council to accord Administrative Approval and Expenditure Sanction.

15. Draft Resolution:-

Resolved by the Council that Administrative Approval & Expenditure Sanction is granted to the estimate amounting to Rs 248.37 Lacs for Laying of 33KV, 3Cx400sq.mm (XLPE) cable emanating from 220/33KV Trauma Centre to various 33KV ESS.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.248.37 Lacs for Laying of 33KV, 3Cx400sq.mm (XLPE) cable emanating from 220/33KV Trauma Centre to various 33KV ESS.

ITEM NO. 08 (B-30)/24.11.2010**1. NAME OF WORK:**

Laying of 33KV, 3Cx400 mm², XLPE Cable from 220/33KV ESS Harish Chandra Mathur Lane to various 33KV ESS's.

2. Name of the Department- ELECTRICITY DEPARTMENT**3. Brief history of the proposals-**

The Electric Sub-Station 220/33 KV at Harish Chandra Mathur Lane with transformation capacity 200 MVA (2x100 MVA) is to be established by M/S DTL in order to provide system reliability and strengthening of power network. Due to saturation limit of existing DTL 220/66 KV ESS at Park Street and closing of generating IP Sub-station and restricted evacuation of power demand from the sub-stations, it has become very essentials to establish 220/33KV Sub-stations in the NDMC areas by the DTL to meet the growing demand of power supply. Further, this plan is also considered under the Functional Plan 2021 to meet the load growth pattern of power supply in NDMC area.

Accordingly, it has been proposed to provide various feeders of 3CX400 mm² for utilization of transformation capacity of the 220/33KV ESS. These emanating feeders will add more reliability and strengthening to the existing and new 33/11KV ESS to provide uninterrupted power supply to the VVIP area.

4. Detailed proposal on the Project-

For providing smooth and uninterrupted power supply from the existing 220KV ESS Harish Chandra Mathur Lane following is being proposed: -

- Laying of 33KV, 400mm²/3C XLPE Cable from 220/33KV ESS Harish Chandra Mathur Lane to 33/11KV ESS Vidyut Bhawan3.0 Km.
- 33KV GIS panel with its C&R Board at ESS Vidyut Bhawan.....1No.

- Laying of 33KV, 400mm²/3C XLPE Cable from 220/33KV ESS Harish Chandra Mathur Lane to 33/11KV ESS Connaught Place.....2.5Km.

- Laying of 33KV, 400mm²/3C XLPE Cable from 220/33KV ESS Harish Chandra Mathur Lane to 33/11KV ESS Electric Lane.....0.25 Km.
- 33KV GIS panel with its C&R Board at ESS Electric Lane.....1No.

- Laying of 33KV, 400mm²/3C XLPE Cable from 220/33KV ESS Harish Chandra Mathur Lane to 33/11KV ESS Hanuman Lane3.0 Km.
- Laying of 33KV, 400mm²/3C XLPE Cable from 220/33KV ESS Harish Chandra Mathur Lane to 33/11KV ESS Scindia House1.0 Km.
- Laying of 33KV, 400mm²/3C XLPE Cable from 220/33KV ESS Harish Chandra Mathur Lane to 66/33KV ESS School Lane2.0 Km.

5. Financial Implications-

An estimate amounting to Rs. 397.86 Lacs including 3% contingencies has been prepared to cover the cost of the above work.

The expenditure shall be chargeable to the Head of A/c E-4-1 under the Original works for which a budget provision of Rs. 198.93 Lacs has been kept in the RE 2010-11 and subsequently Rs. 198.93 Lacs in BE 2011-12.

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

The scheme will be complete within 10 months after sanction of estimate & shall be executed departmentally / contract.

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

The Finance Deptt. has concurred the estimate vide diary No 2376/Finance/R-Elect dated 08.11.2010 with no further comments.

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

Nil

9. Legal implications of the Project: -

No legal implication is involved.

10. Details of Previous Council Resolution:-

Nil

11. Comments of the Law Deptt. on the Project:

Nil

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

NIL

13 Certificate on CVC Guidelines:-

All CVC guidelines shall be adhered to while processing the case.

14. Recommendation:-

The estimate amounting to Rs 397.86 Lacs for Laying of 33KV, 3Cx400 mm², XLPE Cable from 220/33KV ESS Harish Chandra Mathur Lane to various 33KV ESS's may be placed before the Council to accord Administrative Approval and Expenditure Sanction.

15. Draft Resolution:-

Resolved by the Council that Administrative Approval & Expenditure Sanction is granted to the estimate amounting to Rs 397.86 Lacs for Laying of 33KV, 3Cx400 mm², XLPE Cable from 220/33KV ESS Harish Chandra Mathur Lane to various 33KV ESS's..

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.397.86 Lacs for Laying of 33KV, 3Cx400 mm², XLPE Cable from 220/33KV ESS Harish Chandra Mathur Lane to various 33KV ESS's.

ITEM NO. 05 (B-22)/27.10.2010**1. NAME OF WORK:**

Establishment of 33KV ESS at Handloom Complex, Janpath Lane

2. Name of the Department :

ELECTRICITY DEPARTMENT

4. Brief history of the proposals-

The power demand surrounding Janpath lane and nearby area is increasing rapidly due to redevelopment of the area, increase in the demand of the existing consumer due to air-conditioning and computerization etc. The existing 33KV ESS in the area are loaded more than 80% their Capacity. Now at the Janpath lane the Handloom complex is being redeveloped and load of the new complex would be more than 4MVA. Presently load demand of the area is being fed through 11KV network therefore establishing of 33KV New S/S is essential.

4. Detailed proposal on the Project-

Keeping in view the incoming load demand more than 4MVA for Handloom Complex and surrounding area; future load and to keep the system more flexible and reliable. Following are being proposed in the estimate.

1.	16/20MVA, 33/11KV Pr. Transformer	-	2No.
2.	33KV GIS 6-panel with its C&R Board	-	1No.
3.	33KV, 3CX400mm ² , Al conductor XLPE cable	-	5800M
4.	11KV, VCB 11-panel with its C&R Board	-	1No.

There shall be two independent feed each from 220/33KV HCM lane and 66/33KV ESS School Lane are proposed.

5. Financial Implications-

An estimate amounting to Rs.735.69 Lacs including 3% contingencies has been prepared to cover the cost of the above work including the cost of the building and allied works.

The expenditure shall be chargeable to the Head of A/c E-4-1 under the Original works for which suitably provision shall be kept in the RE 2010-11 and subsequently in BE-2011-12.

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

The scheme will be complete within 14 months after sanction of estimate.

9. Comments of the Finance Department on the subject:-

The Finance Deptt. has concurred into the estimate vide diary No.2090/PS/FA/D-10 dated 03.09.2010 with no further comments.

10. Comments of the Department on comments of Finance Deptt:-

Nil

9. Legal implications of the Project - No legal implication is involved.

10. Details of Previous Council Resolution:-

Nil

11. Comments of the Law Deptt. on the Project:

Nil

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

Nil

13 Certificate on CVC Guidelines:-

All CVC guidelines shall be adhered to while processing the case.

14. Recommendation:-

The estimate amounting to Rs.735.69 Lacs for establishing 33KV ESS at Janpath Lane including Civil work, may be placed before the Council to accord Administrative Approval and Expenditure Sanction. Since the work is of urgent nature, approval is solicited to take further action in anticipation to confirmation of the Minutes of Council Meeting.

15. Draft Resolution:-

Resolved by the Council that Administrative Approval & Expenditure Sanction is granted to the estimate amounting to Rs.735.69 Lacs for establishing 33KV ESS at Janpath Lane including civil work. Further approval is accorded to take action in anticipation to confirmation of the Minutes of Council Meeting.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval & expenditure sanction to the estimate amounting to Rs.735.69 Lacs for establishing 33KV ESS at Janpath Lane including civil work.

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

ANNEXURE – IV**ITEM NO. 07 (B-29)/24.11.2010****1. NAME OF WORK:**

Replacement of 33KV outdoor switchgear with indoor GIS system at S/S Nehru Park.

2. Name of the Department- ELECTRICITY DEPARTMENT**5. Brief history of the proposals-**

The Sub-station Nehru Park is important ESS catering power supply to the Embassies & other prestigious Govt. and commercial establishments, hence its reliability and strengthening is important concern to meet up with the requirement of good quality and uninterrupted power supply.

At present Sub-station in question is in very compressed form as there is no additional space available to accommodate additional switchgears and control panels. In this regard an inspection was carried out by the senior officers of NDMC and it was deliberated that the adjoining space available along side the existing building shall be utilized for extension of Sub-station building to accommodate the 33KV GIS and protection devices. GIS panel is a very compact, reliable and maintenance free equipment and it occupies very less space.

The Chairman, NDMC has kindly accorded in-principle approval to the proposal for replacement of outdoor 33 KV Switchyard at 33KV ESS Nehru Park with indoor 33KV GIS System since this Sub-station installed with only 3Nos. outdoor MOCB's for the meant of protection which has served its prescribed useful life. Further this proposal and conceptual design was got approved by the Architect Deptt

6. Detailed proposal on the Project-

The proposal is made to improve the reliability of power supply in adjoining area by providing latest technology equipment which is almost maintenance free system

- A 33KV GIS board comprising of 9 panels with C&R Board comprising of I/C-3 Nos.+O/G-2 Nos.+B/C-2Nos.+Interconnector-2Nos.
- Construction of double storey building for accommodation of 33KV GIS system.

5. Financial Implications-

Rs. 385.35 Lacs including 3% contingencies. The expenditure shall be chargeable to the Head of A/c E-3 under the Replacement works for which a budget provision of Rs. 192.67 Lacs has been kept in the RE 2010-11 and subsequently Rs.192.68 Lacs in BE 2011-12.

7. Implementation schedule with timeline for each stage including internal processing: -.

The scheme will be executed within 18 months & shall be executed departmentally / contract.

11. Comments of the Finance Department on the subject:-

The Finance Deptt. has concurred the estimate vide diary No.2218 /Finance /R Elect. dated 20.10.10. with no further comments.

12. Comments of the Department on comments of Finance Deptt:-

Nil

9. Legal implications of the Project: -

No legal implication is involved.

10 Details of Previous Council Resolution:-

Nil

11. Comments of the Law Deptt. on the Project:

Nil

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

Nil

13 Certificate on CVC Guidelines:-

All CVC guidelines shall be adhered to while processing the case.

14. Recommendation:-

The estimate amounting to Rs 385.35 Lacs for Replacement of 33KV outdoor switchgear with indoor GIS system at S/S Nehru Park may be placed before the Council to accord Administrative Approval and Expenditure Sanction. Since the work is of urgent nature, approval is solicited to take further action in anticipation to confirmation of the Minutes of Council Meeting.

15. Draft Resolution:-

Resolved by the Council that Administrative Approval & Expenditure Sanction, is granted to the estimate amounting to Rs 385.35 Lacs for Replacement of 33KV outdoor

switchgear with indoor GIS system at S/S Nehru Park. Further approval is accorded to take 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 estimate amounting to Rs.385.35 Lacs for Replacement of 33KV outdoor switchgear with indoor GIS system at S/S Nehru Park.

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

ANNEXURE – V**ITEM NO. 25 (B-14)/15/22.07.2009**

1. Name of work- Establishing 33KV Electric Sub-Station at Aliganj Jorbagh

2. Name of the Department- ELECTRICITY DEPARTMENT

3. Brief history of the proposals-

CPWD is re-developing the area of Ali Ganj Jorbagh. The load demand of the proposed housing complex scheme is to the tune of 6.3MVA (app.), as worked out as per new yard stick which may increase with time. As per NDMC policy resolved vide Reso. No. 6(iv) dated 20.4.01, If the consumer has load demand of more than 4 MVA, 33KV ESS is required to be established.

Load of the area is increasing day-by-day; as it is surrounded by the resident of diplomats alongwith Schools, Community Centre, Barat Ghars and residence complex of NDMC. Presently, load requirement of the area is being fulfilled by 66KV ESS Vidyut Bhawan and 33KV ESS Rajiv Gandhi Bhawan through 11KV ESS at Ali Ganj Jorbagh-I & II, Lodhi Road I & II and Aurbindo Marg.

The existing 11KV System would not be able to meet the load demand of the proposed GPRA project of CPWD since 11KV ESS are already being operated at their maximum capacity. Keeping in view the system constraints a 33KV ESS is essentially required to be established in the area. The proposed 33KV ESS will relieve load on existing 33KV and 66KV S/S Vidyut Bhawan.

Accordingly CPWD was requested to make provision of land for establishing 33/11KV ESS in their proposed complex. CPWD has earmarked a plot measuring 1500 Sq.Mt. in their lay out plan which is submitted to the L&DO and matter for allotment of land to NDMC for proposed 33KV ESS is being pursued with L&DO.

The scheme is a part of XIth five-year plan, which has been technically approved by CEA vide No. DPD/UT/312(NDMC) 2007/436 dated 26.06.07. The scheme has outsourced to PGCIL for turnkey execution.

4. Detailed proposal on the Project-

To meet the load demand following have been proposed in the estimate.

- | | | |
|-------|--|----------|
| (i) | 16/20MVA, 33/11KV Pr. Transformers | - 2 Nos. |
| (ii) | 33KV, 1250 A, 1500 MVA, SBB Indoor Type GIS 7 Panel Board | - 1 No. |
| (iii) | 11KV, 1250 A, 350 MVA, SBB Indoor Type SF-6/VCB 13 Panel Board | - 2 Nos. |
| (iv) | 1000KVA, 10.5/0.415 KV, oil type, Distribution Transformer | -2 Nos. |
| (v) | Two Tier LT Panel Board with ACB | -1 No. |
| (vi) | The S/S is proposed to be fed through 33KV, 3x400 Sq.mm XLPE Cable from 220KV Substation Trauma Centre, AIIMS and 66KV Substation Vidyut Bhawan. | |

Accordingly a preliminary estimate amounting to Rs. 1450.64 Lacs including 3% contingencies has been prepared to cover the cost of the above work including the cost of the building and allied works.

- 5. Financial Implications-** The estimated cost for establishing 33KV S/S at Aliganj Jorbagh is Rs. 1450.64 lacs chargeable to the head of a/c E.4.1.

- 6. Implementation schedule with timeliness for each stage including internal processing:** - The scheme has been outsourced to M/s Power Grid Corporation of India Limited for turnkey execution and as per MOU completion time is 24-30 months.

7. Comments of the Finance Department on the subject-

The finance Deptt. has concurred in the preliminary estimate amounting to Rs.1450.64 lacs subject to-

1. Approval of the competent authority.
2. Availability of funds.
3. The department may bring on record the action being taken on the advice of Advisor (Power) given earlier about streamlining the procedure for framing the estimate for spare and for erection in NDMC in consultation with M/s DTL & CEA.
4. The work would be got executed after adhering codal provisions.
5. As informed by the department at page 7/N that the preparation of estimate is not the part of the turnkey agreement with PGCIL, therefore the detailed estimate for the work would be prepared by the department on the basis of proper analysis of the rates.
6. Cost; if any; for establishing of 33KV ESS recoverable from CPWD in the light of resolution no.3 (iv) dated 20.04.01 referred to by the department at portion marked 'A' on page 1/N may be recovered.

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

Observation of Finance Deptt. are clarified as under:-

1. Approval of the competent authority i.e. Council is being sought.
2. Rs.200 Lacs has been kept in the BE 2009-10. The budget shall be suitably revised in RE-2009-10 and subsequent years as per future requirement.
3. The advice of Advisor (Power) is being examined.
4. The codal provisions would be adhered to.
5. The detailed estimate shall be prepared by the PGCIL / executing division on the basis of proper analysis of rates.
6. Vide Council res. No. 3(IV) Dt. 20.04.2001 at Para-3 and Sub-para-4 i.e. The entire cost of establishing 66/33 KV Sub-station shall be borne by NDMC. However, cost of 11KV connection on LT connection as the case may be, shall be borne by the consumer as per 11KV policy.

Finance have seen above comments of the Deptt. & have offered no further comments.

9. Legal implications of the Project: - Nil

10. Details of Previous Council Resolution- Nil

11. Comments of the Law Deptt. on the Project: NIL

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

13. Recommendation:- The preliminary estimate amounting to Rs. 1450.64 Lacs for establishing 33KV ESS at Aliganj Jorbagh, may be placed before the Council to accord administrative approval and expenditure sanction. Since the work is of urgent nature and outsourced to M/S PGCIL, approval may also be solicited to take further action in anticipation to confirmation of the Minutes of Council Meeting..

14. Draft Resolution:- Resolved by the Council that Administrative approval & expenditure sanction is granted to the preliminary estimate amounting to Rs. 1450.64 Lacs for establishing 33KV Electric Sub-Station at Aliganj Jorbagh. Further approval is accorded to take action and anticipation to confirmation of the Minutes of Council Meeting

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval & expenditure sanction to the preliminary estimate amounting to Rs.1450.64 Lacs for establishing 33KV Electric Sub-Station at Aliganj, Jorbagh.

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

3 PAGES

ANNEXURE – VII

5 pages

ANNEXURE VIII

ANNEXURE – IX

ANNEXURE ENDS

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

Determination of municipal tax, rates, cesses and rebates for the year 2012-13 and other related matters.

2. Name of the Department

Property Tax Department

3. Detailed history of the subject and proposal for consideration of Council

4. Requirement of Sub-Section (2) of Section 55 of the New Delhi Municipal Council Act, 1994(hereinafter referred to as the "ACT") is that the Council has to determine the rates of various municipal taxes, rates and cesses for the year 2012-13 on or before 15th February 2012

5. Section 60 of the Act mandates that the Council shall levy certain obligatory taxes specified under Section 60(1) of the Act and may levy certain discretionary taxes as specified under Section 60 (2) of the Act.

6. Executive instructions from the Central Government, as approved by the Hon'ble Supreme Court of India, provide that Council is entitled to Service Charges in lieu of property taxes, on the property of the Union, Railways, Post and Telegraph and Delhi Metro Rail Corporation.

[I] DISCRETIONARY TAXES

7. The Council may levy certain discretionary taxes as specified in Section 60(2) of the Act. The Council is at present levying a tax on consumption, sale or supply of electricity. The rate of tax is 5% of the tariff fixed by the DERC on the consumption, sale or supply of electricity and also on the sale of surplus power. Collection of this tax in 2010-11 was Rs.22.92 Crores and Revised Estimate for the year 2011-12 is proposed at Rs.28 Crores. ***No Change in the rate of tax on the consumption, sale or supply of electricity or on sale of surplus power or the mode of collection of the same is suggested for the year 2012-13.***

[II] **OBLIGATORY TAXES**

8. Section 60(1) of the Act provides that the Council shall levy the following taxes: -

- (a) Property tax;
- (b) a tax on vehicles and animals;
- (c) a Theatre tax;
- (d) a tax on advertisements other than advertisements published in newspapers;
- (e) a duty on transfer of property; and
- (f) a tax on buildings payable alongwith the applications for sanction of the building plan.

(i) **A tax on vehicles and animals and a theatre Tax**

8.1. These are regulatory taxes. NDMC is not permitting animals or animal driven vehicles or rickshaw in its area. Hence tax cannot be levied. At the rates provide in the Third Schedule the Theater Tax is not a source of revenue. As these are obligatory taxes, the Council decided to levy it at "NIL" rates. ***The same may continue for 2012-13 as well.***

(ii) **A tax on advertisements**

8.2. The rate of the taxes is provided in the Fourth Schedule of the Act. It is a nominal tax and levied per square feet on the size of the hoarding site and not on the revenue generated from the advertisements. The maximum tax payable for a hoarding is Rs. 240/- per year. ***Levy of this tax at the maximum rates provided in the Fourth Schedule may continue for 2012-13***

(iii) **A duty on transfer of property**

8.3. On the instrument specified under Section 93(2)(b) and on the instruments presented for mutation under Section 74 of the Act, a duty on transfer of property is being levied at the following rates: -

- (a) 2% if the transferee is a woman to the extent of her share in the property;
- (b) 2.5% if the transferee is a person other than a woman.

8.3.1 ***As such, no change in the rates of the duty is proposed for the year 2012-13.***

(iv) **A tax on buildings payable alongwith the applications for sanction of the building plan**

8.4. The rate of tax has been provided in the Fifth Schedule of the Act. ***Tax may be levied at the maximum rates provided in the Fifth Schedule.***

(v) **Property Tax**

8.5. Property tax is the most important levy for the NDMC area. It is being levied as a percentage of the rateable value of all land and buildings in the NDMC area. The properties of the Union, constructed on or after 26th January 1950 are exempt from payment of this tax, however, the NDMC is being compensated for this exemption in the form of Service Charges, through executive instructions of the Central Govt., as approved by the Hon'ble Supreme Court of India.

8.6. Upto the year 2008-09, determination of rateable value was covered by the House-Tax Byelaws of 1962, framed under the Punjab Municipal Act, 1911. With effect from 1st April 2009, and to bring uniformity in the valuation of properties, the rateable values are being determined under the Annual Rent Bye-laws of 2009. These bye-laws of 2009 were impugned before the Hon'ble High Court of Delhi by Welfare Associations and individuals also. The Hon'ble High Court of Delhi admitted the writ petitions for hearing, as per their turn, but declined stay and directed the tax-payers to make the payment, as per the Bye-laws of 2009, pending decision in the writ petitions.

RATE OF PROPERTY TAXES

8.7. The rate of property taxes for the year 2011-12 are as under: -

(i)	On first Rs. 10 lacs of the rateable value	20% of the rateable value
(ii)	Where the rateable value exceeds Rs. 10 lacs and is upto Rs. 20 lacs	Rs. 2,00,000/- plus 25% of the amount by which rateable value exceeds 10 lacs
(iii)	Where the rateable value exceeds Rs. 20 lacs	Rs. 4,50,000/- plus 30% of the amount by which rateable value exceeds Rs. 20 lacs

No change in the rate of property tax for the year 2012-13 is proposed.

**COLLECTION OF PROPERTY TAXES, SERVICE CHARGES AND A DUTY ON
TRANSFER OF PROPERTY**

8.8. Collection of property taxes, service charges and duty on transfer of property from the year 2003-04 till **04th Jan., 2012** is as under: -

Figure (in crores)

YEAR	PROPERTY TAX	SERVICE CHARGES	TRANSFER DUTY	TOTAL
2003-04	111.74	16.14	7.94	135.82
2004-05	130.31	17.28	13.27	160.86
2005-06	132.87	14.23	13.15	160.25
2006-07	139.44	13.82	25.90	179.16
2007-08	179.92	15.55	13.69	202.16
2008-09	190.63	20.14	37.81	248.58
2009-10	263.56*	12.13	20.01	295.07
2010-11	252.78	15.71	32.27	300.76

2011-12 Budget estimates and collection up to 04.01.2012 are as under:-

Figures in **Crores**

Budget Estimate for the year 2011-12		Collection up to 04/01/2012	
Property Tax	240.00	Property Tax	198.85
Service Charges	16.50	Service Charges	2.14
Transfer duty	30.00	Transfer duty	25.72
Total	286.50	Total	226.71

** This include collection from one time settlement scheme as was approved by the Council*

REBATES

8.9. Instead of changing rate of property tax, on implementation of the bye- laws of 2009 from 1st April 2009, the Council decided that all those who opt for the annual rent bye-laws 2009 shall be

entitled to attractive rebates at the time of payment of property taxes, on rateable values determined under Annual Rent Bye-Laws, 2009.

8.10 In respect of properties paying tax under the Annual Rent Bye-laws of 2009, rebate from the payment of property tax for the year 2012-13 may be allowed as under :-

- (i) a rebate of 50% of the tax calculated on the rateable value upto Rs.5 lacs of lands and buildings used or to be used and occupied or to be occupied for residential purposes;
- (ii) a self occupancy rebate of 25% of the property tax payable after allowing the rebate at (i) above, in respect of self occupied residential properties singly owned by a sr. citizen who is sixty years or more in age as on 01.04.2012 or by a women or a physically challenged person, irrespective of their age or jointly owned by any of these categories;
Provided that no portion of the building owned by such a sr. citizen or women or physically challenged person is on rent or is used for commercial purposes and the building is actually owned and occupied by these categories;
- (iii) a rebate of 50% of the tax determined on rateable values upto Rs.1 lac, for properties other than residential properties;
- (iv) a rebate of 40% of the tax payable in respect of aided schools and colleges and 20% of tax payable by unaided schools for the lands and buildings owned by Society or Body after deducting the rebate at (iii) above;
Provided that no such rebate shall be available on the portions on rent or used for commercial purposes;
- (v) the Chairperson is authorized to give rebate of not more than 20% of the tax payable by owner or tenant, for the shops occupied by him in Blocks A – H, K – N in Connaught Place as may be decided by Chairperson;
Provided that this rebate shall not be available to premises occupied by Banks or for office and commercial purposes or multiplex;
As resolved by the Council this rebate would be available for 2010-11 & 2011-12. There is a request from New Delhi Traders Association for continuance of this rebate for the year 2012-13 due to the fact that re-development work is still under progress which in turn affecting business adversely. It is for the consideration of the Council, as to whether to continue with this 20% rebate for the year 2012-13.
- (vi) on the net tax payable, after rebate as above from (i) to (v), a prompt payment of rebate of 10% of the net tax may be allowed, if the tax is paid, along with a return U/s-77 of the NDMC Act by 30th September, 2012 and 5% if the tax is paid after 30st September, 2012 but on or before 31st December, 2012;
Provided that the date for payment of tax with rebates can be extended by the Chairperson, generally or in specific case and facts of the case.

[III] **SERVICE CHARGES**

9. Properties of the Union constructed on or after 26th January 1950 are exempt from the levy of property taxes. Under orders of the Govt. of India, as approved by the Hon'ble Supreme Court, Service Charges are payable on all such properties. There has been a change in the valuation of such properties in the Bye-laws of 2009. If the property tax and service charges are paid as per these bye-laws of 2009, the rebates under para 8.10(vi) property tax and service charges would be admissible at the same rates as to the private properties.

10. **Financial implication of the proposed subject**

This is a statutory requirement.

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

Not applicable.

12. **Comments of the Finance Department**

As no change has been proposed from the rate of last year, Finance has no comments to offer.

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

NIL

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

This is a legal requirement.

15. **Details of previous Council Resolution, existing law or Parliament and Assembly on the subject**

In 2011-12, the rates were approved in Resolution No.09(F-2) dated 14.01.2011.

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

This is a requirement of statute and as such no legal implications.

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

NIL

18. **Recommendations**

Council may approve the proposals as contained in Paras - 07 to 09 and permit implementation, in anticipation of confirmation of minutes of the meeting.

Chairperson has seen the proposal and approved its being placed before the Council in its next meeting.

COUNCIL'S DECISION

Resolved by the Council to approve the proposals as contained in Paras - 07 to 09 and permit implementation, in anticipation of confirmation of minutes of the meeting.

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- 2- ikfydk ifj"kn~ ds izLrko lao 01 fnukad 20-6-1994 ds }kjk lksa'ku dh jkf'k 100@&#lk;s ls c<+kdj 200@&#lk;s lkzfrekg o`f/4 dj nh xbZ o ;g o`f/4 fnukad 1-4-1994 ls ykxw ekuh xbZ A
- 3- lkkydk lkzLrko lao 3(kk) ds&3] fnukad 23-4-2003 ls ;g lksa'ku jkf'k 200@&#o lkzfrekg ls c<+kdj 300@&#lk;s lkzfrekg dj nh xbZ tks fn- 1-2-2002 ls ns; ekuh xbZ A blh lkzLrko esa o`1/4koLFkk dh vk;q 55 o"kZ ls c<+kdj 60 o"kZ dj nh xbZ A
- 4- lkqu% lkkydk lkzLrko lao 8(ds&kk) fnukad 26-8-2005 ds }kjk isa'ku dh jkf'k esa 50@&#lk;s dh o`f/4 ds lkFk 350@&#o dj nh xbZ] lkFk gh blh ikfydk izLrko ds vuqlkj fu.kZ; fy;k x;k fd bl lkekftd] vkfFkZd lgk;rk ;kstuk ds ykHkkfUorksa dks ubZ fnYyh uxjikfydk ifj"kn~ {ks=k esa fofHkUu Mkd?kjksa ds ekè;e ls isa'ku dk Hkqxrku fd;k tk;sxk A rnkuqlkj isa'ku jkf'k dk ifj"kn~ {ks=k fLFkr fpfUg~r Mkd?kjksa ds ekè;e ls Hkqxrku isa'ku/kfj;ksa dks fd;k tkjgk gS A
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2- o`¼ efgyk isa'ku	&	302
3- fo/ok isa'ku	&	603
4- fodykax isa'ku	&	92
5- ekufld :lk ls fof{kIr isa'ku	&	14
6- us=kghu isa'ku	&	11
7- ewd&cf/j isa'ku	&	07

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izLrko lao 33 fnukad 26-11-1985

izLrko lao 01 fnukad 19-08-1994

izLrko lao 03(II)ds&3 fnukad 23-4-2003

izLrko lao 08 (ds&2)fnukad 26-8-2005

izLrko lao 21 (ds&4) fnukad 17-10-2007

izLrko lao 24(ds&1) fnukad 20-8-2008

13- **fo"k; esa fof/ foHkkx dh fVli.kh %**

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- 15- **foHkkx }kjk ;g izekf.kr fd;k tk;s dh bl elkSns dks izLrqr djrs le; dsUnzh; lrdZrk vk;ksx }kjk tkjh lHkh fn'kk funsZ'kksa dk ikyu fd;k x;k gSA**

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- 16- **vuq'kalk %**

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esa dksbZ Hkh ,slh o`f¼ u-fn-u-ifj"kn~ ds vè;k dh Lohd`fr ls u-fn-u-ifj"kn~ esa ykxw dh
tkuh pkfg, rFkk mDr ds lca/ esa ifj"kn~ dks lwfpr fd;k tk, A

ITEM NO. 08 (A-21)

1. **NAME OF THE SUBJECT** : Replacement of Municipal Water Mains in NDMC Area (SH Replacement of 450mm dia water mains along Tilak Marg from Sikandra Road to UGR at Tilak Lane Boosting Station).
2. **NAME OF THE DEPARTMENT** : Civil Engineering Department (Water Supply Division).
3. **BRIEF HISTORY OF THE SUBJECT:-**

One of the sources of water to NDMC area is from the tapping at Hans Bhawan from the Delhi Jal Board water mains coming from Wazirabad Water Works. The water from this tapping is feeding the UGR at Tilak Lane & Bengali Market. The feeder line consisting of 450mm dia pre-stressed concrete is running along the footpath of Tilak Marg from Sikandara Road end to Tilak Lane & was laid in the year 1988-89 which feeds the UGR round the clock with water under great pressure. Due to the passage of time i.e. about 23 years the line has developed leakages at several places & is presently leaking at more than 11 places within a short span of 20 to 25 metres & at more than 5 to 6 places in a span of 10 to 15 metres. The condition of this line is pathetic & is deteriorating day by day. The repairs of this PSC Line is also difficult due to its weak strength. Regular complaints of continuous leakage of water in the service road of Tilak Marg are being received.

Accordingly, the P.E. amounting to ` 1.80 crores is prepared for laying the D.I. Pipeline of 450mm dia by cut & cover method under the footpath & by MS Pipe through trenchless method for crossing of the main roads. The provision for the sluice valves, air relief valves, brick masonry chambers have been taken in the estimate.

4. **DETAILED PROPOSAL OF THE SUBJECT:-**

Since the PSC Pipeline has become obsolete & its condition is deteriorating day by day it is proposed to lay a 450mm dia D.I. Pipeline from the Sikandara Road end along Tilak Marg to Tilak Lane UGR near Police Station Tilak Marg & the MS Pipeline shall be

laid by trenchless method for crossing of the main roads. This shall be the replacement of the old damaged PSC Line of 450mm dia feeding the UGR of Tilak Lane from the Sikandara Road end which has become unserviceable. This line is running round the clock & under heavy pressure. Considering the existing (pathetic) condition of PSC Pipe, the only solution is that the line should be replaced to avoid not even wastage of precious water but also to prevent contamination & disruption of supply. The scrap value of the old PSC Pipeline shall be negligible as compared to the cost of excavating, dismantling, disposing & restoring the surface of footpath / cycle track so the cost of dismantled material may be treated as nil.

5. FINANCIAL IMPLICATIONS OF THE PROPOSED SUBJECT:-

The estimated cost of the work including the R.R. Charges, etc. is about ` 1.80 crores for which the A/A & E/S is to be accorded.

6. IMPLEMENTATION SCHEDULE WITH TIME LIMITS FOR EACH STAGE INCLUDING INTERNAL PRCESSING:-

Detailed Estimate	-	One Month.
NIT & Approval	-	Three Months.
Execution	-	Four Months.

7. COMMENTS OF FINANCE DEPARTMENT ON THE SUBJECT:-

Finance has concurred the proposal for the Preliminary Estimate amounting to Rs.1,79,30,500/- (Rupees One Crore Seventy Nine Lacs Thirty Thousand & Five Hundred Only), duly checked by Planning against the proposed HOA 51-490-90-21 for which availability of funds may be ensured before incurring any liability. However, department may ensure & certify that replacement of whole line is essentially required and pipelines proposed for replacement have outlived its life.

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

Finance Department has concurred in the proposal. It is to ensure that adequate budget will be sought in R.E. It is also to certify that the old line has outlived its life & need immediate replacement.

9. LEGAL IMPLICATION OF THE SUBJECT:-

No Law Point.

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

Nil

11. COMMENTS OF THE LAW DEPARTMENT ON THE SUBJECT:-

Nil

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

No Comments.

13. CERTIFICATION BY THE DEPARTMENT THAT ALL CVC GUIDELINES HAVE BEEN FOLLOWED WHILE PROCESSING THE CASE:-

It is certified that all CVC Guidelines have been followed while processing the case.

14. RECOMMENDATION:-

The above said proposal is recommended for approval since it is the most economical & effective one to the old pipeline of 450mm dia along Tilak Marg with D.I. Pipe of 450mm dia D.I. Fitting & MS Pipe for trenchless work so as to keep the source of water to NDMC Area in a sturdy position and also to prevent wastage & contamination of precious water. The preliminary Estimate amounting to Rs. 1,79,30,500.00 (Rupees One Crore Seventy Nine Lacs Thirty Thousand & Five Hundred Only).

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.1,79,30,500/- for work of Replacement of Municipal Water Mains in NDMC Area (SH Replacement of 450mm dia water mains along Tilak Marg from Sikandra Road to UGR at Tilak Lane Boosting Station).

It was further directed by the Council that henceforth life of the existing pipeline and one proposed to be laid should also be indicated in the proposal.

ITEM NO. 09 (A-22)

1. Name of Subject:- Demolition of Type-II Flats at Golf Link Sadan, Golf Link, New Delhi. SH:- Survey Report.

2. Name of Department: Civil Engineering Department. Zone-II.

3. Brief History of the subject / Project:

The four Nos. old Type-II Flats at Golf Link Sadan built in 1963 are in dilapidated condition for last so many years. The buildings were 48 years old and their condition was bad. Extensive Repairs to these buildings were required and the repairs will not be economical. It was desired that to explore the possibilities for construction of Type-V flats after demolishing the above said Type-II Flats as NDMC is facing shortage of Type-V accommodation. The layout plan of the said premises was referred to Architect Department to explore the possibilities for construction of Type-V flats after demolishing the above said Type-II flats. Chief Architect Department has proposed to construct one number Type-V flat after demolition of existing building Accordingly approval for construction of one Type-V flat after demolition of four Nos. Type-II flats has been obtained from Hon'ble Chairperson.

4. Detailed proposal of the Subject/Project:

The existing building of four Nos. Type-II flats which are 48 years old, are required to be the demolished for proposed construction of one Type-V flat. The survey report of the existing building has been prepared and got concurred from the planning and finance department for a sum of Rs. 2,02,502/- of the cost the residual building to be written off and a sum of Rs.23,266/- as a reserve price fixed for the demolished material.

5 Financial implication of proposed subject/project.

Rs.2,02,502/- is to be written off on account of demolition of the existing building coming in the alignment of the proposed project with a sum of Rs.23,266/- as reserve price for demolished material.

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

To be considered as part of the main project with a completion period of 6 months from the date of award.

7 Comments of the Finance Department at the subject.

Finance Deptt has concurred the proposal vide Diary No.199 dated 02.02.2012.

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

No comments in view of concurrence of Finance Deptt.. Finance Department has seen the agenda and hence no comments to offer.

9. Legal implication of the subject/project.

NIL.

10. Details of previous Council Resolution / Existing law of Parliament and Assembly on the subject.

NIL

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

No law point please.

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

No comments in view of the comments of the Law Deptt.

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

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

14. Recommendation.

The case is placed before the council for the approval of the survey report with a amount of Rs.2,02,502/- for written off and with reserve price of Rs.23,266/- on account of demolished material and recommended that the further action in the matter be taken in anticipation of the confirmation of the minutes of the council.

15 Draft Resolution.

Resolved by the council that the survey report with a written off amount of Rs.2,02,502/- with reserve price of Rs.23,266/- is accepted and be written off from the books on account of demolition of the existing structure.

It is also resolved that further action may be taken by the department in anticipation of the confirmation of the minutes of the council.

COUNCIL'S DECISION

Resolved by the council, by majority, that the survey report with a written off amount of Rs.2,02,502/- with reserve price of Rs.23,266/- is accepted and be written off from the books on account of demolition of the existing structure.

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

ITEM NO. 10 (A-23)**1. NAME OF THE PROJECT:**

BSUP Project for construction of 240 five storied EWS dwelling units for slum at Bakarwala, Delhi under JNNURM scheme.

2. NAME OF THE DEPARTMENT CONCERNED:

Civil Engineering Department (Zone-II)

3. BRIEF HISTORY OF THE PROJECT:

A piece of land measuring 2 Acres has been allotted at Bakkarwala for relocation of JJ Clusters from NDMC area by DDA and an amount of Rs. 93,91,360/- was paid as a cost of 2 Acres of plot by NDMC vide No. D-797-800/SO(Enf.) dated 30.3.2000.

The Competent authority has approved appointment of Consultant vide diary No. 3807 dated 26.06.2009 for preparation of DPR & coordinating the sanction of the same from Ministry of HUPA, Govt. of India under the JNNURM scheme. Accordingly M/s Adlakha Associates Pvt. Ltd. was appointed as consultant vide Agreement No. 37/EE(BM-II)/2009-10.

Initially the DPR prepared by Consultant for construction of 400 NOS. dwelling units at Bakarwala by NDMC at a cost of Rs 40.83 crores was submitted to the Ministry of HUPA by Govt. of Delhi vide letter dated 29.03.2011 with multistoried G+9 structure.

The Ministry of HUPA in its meeting of Central Sanctioning & Monitoring Committee (CSMC) held on 30.03.2011 advised the NDMC to revise the DPR with G+4 format instead of G+9 format. Accordingly the NDMC revised the DPR in G+4 format at a cost of Rs 21.89 crores and submitted the proposal to GNCTD. The revised DPR of EWC housing submitted by NDMC was forwarded to the Ministry of HUPA, Govt. of India on 27.05.2011 and the same was considered in the CSMC meeting held on 10.06.2011. The CSMC approved the project subject to the approval of State Level Steering Committee (SLSC), Govt. of Delhi, as per the comments of SLSC the salient feature of the revised DPR are as under:-

1. The no. of houses have been reduced from 400 to 240.
2. The basic plan of a dwelling unit and block pattern adopted in the DPR is same as already approved by CSMC in similar other project.
3. The cost of the dwelling unit has been reduced from Rs. 6.94 lacs to Rs. 4.10 lacs. The per sq mtr. Cost comes around Rs. 12,390/-.
4. The carpet area is 25.08 sq mtr which is as per JNNURM requirement.

5. The structure is based upon pre cast roofing system and interlocking block as promoted by HUDCO.
6. The proposed overall density is 300 DU per hectare.
7. The DPR has been appraised by HUDCO.

Finally the revised DPR has been approved by GNCTD in its 6th SLSC meeting held on 04.11.2011 & DPR duly signed by State Level Nodal Agency (SLNA) was submitted to appraisal agency i.e. Building Materials Technology Promoters Council (BMTPC), GOI & the same was sanctioned by Ministry of HUPA, Govt. of India under the JNNURM scheme vide office memorandum No. N -11026/1/2011 BSUP /JNNURM-Vol.- XIV dated 10.01.2012.

4 DETAILED PROPOSAL OF THE PROJECT:

- i) A DPR amounting to Rs. 21.89 crore based on DSR 2007 considering 39% Cost Index has been submitted to obtain the A/A & E/S from the Council for BSUP Project for construction of 240 five storied dwelling units at Bakarwala by NDMC under JNNURM scheme.
- ii) Appointment of Consultant for further implementation & monitoring of the project as per JNNURM scheme.

The DPR has been approved by CSMC with alternative materials & technologies so as to complete the project in shorter duration. The consultant is required for implementing the technology to prepare construction / working drawings, to monitor and liaison with various statutory authorities including Third Party inspection & monitoring agencies engaged by the Delhi State Govt. and the Central Govt.

There are 35 JJ Cluster in NDMC area out of which 5 pertains to NDMC land where one JJ Cluster have been cleared. NDMC has deposited the requisite charges for rehabilitation of 3 JJ Cluster with Delhi Urban Shelter Improvement Board (DUSIB) for rehabilitation of JJ Cluster (Total 780 JJ Cluster in entire Delhi). The responsibility has to be shared by DDA, MCD, NDMC and DUSIB. The land for EWS Housing has been allotted to DDA, DUSIB & NDMC while DUSIB and DDA have undertaken large number of projects and this will be the first project of EWS Housing by NDMC.

As noted above, NDMC intends to develop EWS Housing for rehabilitation of JJ Cluster in NDMC area alongwith DUSIB & DDA. This matter was considered by State Level Steering Committee (SLSC) and the project was recommended to Ministry of Housing and Urban Poverty Alleviation (MOHUPA) for funding by the Central Sanctioning and Monitoring

Committee (CSMC). The project was technically approved by (MOHUPA) and approval of HUPA for funding of JNNURM has been received (BSUP). The collection from beneficiary shall be done by the UD Deptt. of GNCTD @ Rs.60000/- per unit and same shall be paid to the NDMC. The sharing pattern will be as under:-

➤ Central Govt. Shares	=	Rs.	786.55	Lacs
➤ State Govt. Shares	=	Rs.	139.00	Lacs
➤ Beneficiary Shares	=	Rs.	144.00	Lacs
➤ NDMC (ULB) Shares	=	Rs.	<u>1119.19</u>	<u>Lacs</u>
Total		=	Rs.	<u>2188.74</u> Lacs

As noted above, this housing will be allotted to eligible beneficiaries in the remaining JJ Cluster on NDMC land. The eligibility and identification of beneficiaries for allotment will be finalized as per the guidelines of HUPA/GNCTD and as per Biometric survey undertaken by DUSIB. It is expected that NDMC land will be free from the entire encroachment/JJ Cluster.

NDMC also intends to develop facility like Community Centre on the land allotted for EWS Housing (Within the FAR permitted for the purpose as per MPD 2021). This will provide financial retention on long term basis to NDMC.

In case of any shortfall in occupancy by the eligible beneficiary located in JJ Clusters in NDMC land, upon completion of this EWS Housing project, the excess dwelling units will be offered to DUSIB to rehabilitate eligible beneficiaries from other areas on payment of compensation to NDMC which will be determined in consultation with DUSIB, Govt. of NCT of Delhi.

5. **FINANCIAL IMPLICATIONS OF THE PROJECT:**

M/s Adlakha Associates Pvt. Ltd. Consultant has got the DPR approved from Govt. of Delhi as well as Ministry of HUPA for total cost of Rs. 21.89 Crores. The detail of sharing of cost is given here as under :

- Cost of 240 Dwell Unit @ Rs.4,37,634/- = Rs. 1050.32 Lacs (A)
- Cost of Infrastructure Development
(Water Supply, Sewerage, Drainage,
Roads & Pavements Boundary Walls

Street Lighting, Rain Water Harvesting, Fire Safety / Protection & Parks etc.)	=	Rs.	313.33 Lacs	(B)
• Cost of Social Infrastructure (Facilities cum Community Centre)	=	Rs.	596.71 Lacs	(C)
• Cost of Contingencies @3%, Deptt. Charges, DPR preparation, Labour Cess & Quality Assurance	=	Rs.	228.38 Lacs	(D)
Total (A+B+C+D)	=	Rs.	2188.74 Lacs	

❖ **SHARES :-**

➤ Central Govt. Shares	=	Rs.	786.55 Lacs
➤ State Govt. Shares	=	Rs.	139.00 Lacs
➤ Beneficiary Shares	=	Rs.	144.00 Lacs
➤ NDMC (ULB) Shares	=	Rs.	1119.19 Lacs
Total	=	Rs.	2188.74 Lacs

❖ **INSTALMENTS :-**

Central & State Govt. Share payable in 4 installments :-

- First Installment for Central Govt. Share = Rs. 196.64 Lacs
(25% of total Share) Recommended by
CSMC JNNURM for release

6. IMPLEMENTATION SCHEDULE WITH TIME LIMIT

15 months from the Award of work.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT.

Finance Deptt has cleared the proposal vide Diary No.277 dated 03.02.2012 to mention that point no.3 at para 3, 440 Nos. DUs may be corrected as 400 Nos. and filling up the paras 7,8,9,11 & 12 of Draft Agendum. The department is advised to mention clearly whether the proposal to appoint consultant is for execution of this project or for monitoring the project as independent agency. In the case of consultant to be appointed for execution of project, proper justification for the same be provided in the agendum.

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

As advised by the Finance Department, necessary corrections of 400 units have been made. The para 7,8,9,11 & 12 are the para of draft agendum which are to be filled after scrutiny from finance and law department and same shall be filled and shown to FA & LA before placing the same to Council. The consultant for this project is required as the DPR has been approved by CSMC with alternative materials & technologies so as to complete the project in shorter duration. The consultant is required for implementing the technology to prepare construction / working drawings, to monitor and liaison with various statutory authorities including Third Party inspection & monitoring agencies engaged by the Delhi State Govt. and the Central Govt. Moreover department is not equipped with such facility.

9. LEGAL IMPLICATION OF THE PROJECT/SUBJECT:

NIL

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

Item No. 10(A-94) 31.12.2008: Resolved by the Council and it was decided that the estimate part of the DPR be rechecked. **(copy enclosed as Annexure I for ready reference please, See page)**

15. COMMENTS OF THE LAW DEPARTMENT ON THIS PROJECT:

This is a DPR. The proposal was earlier considered by Council. It has approval of finance. Has no law point.

16. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF LAW DEPARTMENT:

No comments in view of the comments of the Law Department.

13. CERTIFY THAT ALL CENTRAL VIGILANCE COMMISSION (CVC) GUIDELINES HAVE BEEN FOLLOWED WHILE PROCESSING THE CASE.

Certified that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

14. RECOMMENDATIONS:

- i) The case is placed before the council for according administrative approval and expenditure sanction of the preliminary estimate amounting to Rs. 21.89 crore for work of BSUP Project for construction of 240 five storied dwelling units at Bakarwala by NDMC under JNNURM scheme as per details as under:

➤ Central Govt. Shares	=	Rs.	786.55 Lacs
➤ State Govt. Shares	=	Rs.	139.00 Lacs
➤ Beneficiary Shares	=	Rs.	144.00 Lacs
➤ NDMC (ULB) Shares	=	Rs.	<u>1119.19 Lacs</u>

Total = Rs. 2188.74 Lacs

- ii) Approval to appoint a suitable consultant, who has the experience of JNNURM projects, be appointed through open tendering process.
- iii) Approval for permission to take further necessary action in anticipation of the confirmation of the minutes of the council.

15. DRAFT RESOLUTION:

- i) Resolved by the Council that A/A & E/S is accorded to the preliminary estimate amounting to Rs. 21.89 Crores (Rs. twenty one crores eighty nine lacs only) for work of BSUP Project for construction of 240 five storied dwelling units at Bakarwala by NDMC under JNNURM scheme as per details as under:

➤ Central Govt. Shares	=	Rs.	786.55 Lacs
➤ State Govt. Shares	=	Rs.	139.00 Lacs
➤ Beneficiary Shares	=	Rs.	144.00 Lacs
➤ NDMC (ULB) Shares	=	Rs.	<u>1119.19 Lacs</u>

Total = Rs. 2188.74 Lacs

- ii) Resolved by the Council that a suitable consultant, who has the experience of JNNURM projects, be appointed through open tendering process.

- iii) Resolved by the Council that deptt. can take further necessary action in anticipation of the confirmation of the minutes of the meeting.

COUNCIL DECISION

- i) Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs. 21.89 Crores for the work of BSUP Project for construction of 240 five storied dwelling units at Bakarwala by NDMC under JNNURM scheme as per details as under:

Central Govt. Shares=	Rs.	786.55 Lacs
State Govt. Shares=	Rs.	139.00 Lacs
Beneficiary Shares=	Rs.	144.00 Lacs
NDMC (ULB) Shares=	Rs.	<u>1119.19 Lacs</u>
Total	=	<u>Rs. 2188.74 Lacs</u>

- ii) It was further resolved by the Council that a suitable consultant, who has the experience of JNNURM projects, be appointed through open tendering process.

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 (A-24)**1. Name of the subject/project**

Sub: - S/R of roads in NDMC area.

SH: - Widening and strengthening of colony service roads by concrete roads and widening of M.S Gates in Lodhi Colony.

2. Name of the Department/departments concerned

Civil Engineering Department, Road-II Division

3 Brief history of the subject/project

- (a). The existing width of colony service roads inside the residential Govt. Qtrs. Blocks Lodhi Colony is ranging from 2m to 2.30m. presently condition of the same is deteriorated badly. These roads were taken over by NDMC from CPWD in Dec' 2007 as resolved by Council vide Reso. No. 04 (A-03) dated 21.4.10. As requested by RWA from time to time it was proposed that the present roads be widened and strengthen to make it approachable suitable for vehicular moment, their parking and in the emergency for fire tender moment too.
- (b). Accordingly a survey was carried out and it is seen that present top surface of road is open bituminous premix, in damaged condition to great extant having pot holes at its surface and having lesser width too.
- (c). The assets so created by widening and improvement of service road shall be very useful to the traffic/road users. Initially the life has been prescribed as 20 years. This will be useful for residents as this will give better riding quality, creation of additional parking space and the approaches for fire tenders in emergency hour.
- d). Accordingly Preliminary Estimate has been prepared by the project team for Rs. 3,48,44,500/- which has been checked by Planning Division and concurred by Finance Department.

4 Detailed proposal on the subject / project

- (a). The tenders were called through e-tendering system and four tenders were received on 10.10.11. The financial bids of four tenderers were opened on 10.10.11 & the details are as follows:-

S. No.	Name	Rate Quoted	Estimated Cost	Tendered Amount	Remarks
1.	Sh. Bipin Kumar	15.11% above	Rs. 2,72,38,817/-	Rs. 3,13,55,894/-	L-II
2.	M/s. Devi Const. Co.	34.55% above	Rs. 2,72,38,817/-	Rs. 3,66,48,709/-	L-IV
3	Mohd. Iqbal	24.88% above	Rs. 2,72,38,817/-	Rs. 3,40,15,182/-	L-III
4	M/s. Raunaq Const.	13.92% above	Rs. 2,72,38,817/-	Rs.3,10,31,431/-	L-I

- (b). M/s. Raunaq Const. is the lowest bidder at 13.92% above the Estimated Cost of Rs. 2,72,38,817/- against the justification of 25.90% above Estimated cost. The tendered amount is Rs. 3,10,31,431/-.
- (c) The rates quoted by the lowest tenderer after scrutiny by Planning have been found to be reasonable and therefore recommended for acceptance.
- (d) The tenders have been scrutinized & concurred by Finance Department.
- (e) The validity of tender is expiring on **07 Jan.'12 and extended upto 15th Feb.' 12**

5 Financial implications of the proposed project/subject

The financial implications of the proposal works out to Rs. 3,10,31,431/-.

6 Implementation schedule with time lines for each stage including internal processing

The schedule of completion of work is one year after award of work.

7 Comments of the Finance Department on the subject with diary No. & date

Finance department has concurred the estimate for the above said work at NP-106 vide No. 2594/Finance/R-Civil dated 16.12.11 and mentioned that "We have no objection to the proposal of the department to award the work to L-1 firm M/s. Raunaq Construction amounting to Rs. 3,10,31,431/- which is 13.92% above the estimated cost of Rs. 2,72,38,817/- against the justification of 25.90% above the estimated cost.

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

No comments.

9. Legal Implications of the subject/project

No comments

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

Administrative Approval and Expenditure Sanction for Rs. 3,48,44,520/- vide item No 04(A-03) dated 21.4.2010

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

No Legal Issue.

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

No comments

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

Certified that all guidelines of CVC has been followed during tendering.

14. Recommendation

The case is placed before the Council for consideration & accord of approval for the following:-

- a. To award the work to M/s. Raunaq construction at their tendered amount of 3,10,31,431/- which is 13.92% above the estimated cost of Rs. Rs. 2,72,38,817/- against justification of 25.90% above the estimated cost for the work "Sub: S/R of roads in NDMC area. SH: - Widening and strengthening of colony service roads by concrete roads and widening of M.S Gates in Lodhi Colony.
- b. To initiate further action in anticipation of approval of minutes of Council meeting.

15. Draft Resolution

Resolved by the Council that the proposal to award the work to M/s. Raunaq construction at their tendered amount of Rs.3,10,31,431/- (Rs. Three Crore Ten Lakh Thirty One Thousand Four Hundred and Thirty One Only) which is 13.92% above the estimated cost of Rs.2,72,38,817/- against justification of 25.90% above the estimated cost for the work "Sub: S/R of roads in NDMC area. SH: - Widening and strengthening of colony service roads by

concrete roads and widening of M.S Gates in Lodhi Colony and to initiate further action in anticipation of approval of minutes of Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord approval to award the work to M/s. Raunaq construction at their tendered amount of Rs.3,10,31,431/- which is 13.92% above the estimated cost of Rs.2,72,38,817/- against justification of 25.90% above the estimated cost for the work "Sub: S/R of roads in NDMC area. SH: - Widening and strengthening of colony service roads by concrete roads and widening of M.S Gates in Lodhi Colony.

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. 12 (T-02)**1. Name of the Subject/Project**

Procurement of Winter Livery Items for the biennial 2011-2012.

2. Name of the Department/departments concerned

General Administration Department.

3. Brief History of the Subject/Project.

This case is regarding procurement of Winter Livery items for 2011-2012 (Biennial), for eligible Group "C" & "D" employees. The total number of employees has been based on data received from CBS, in respect of employees who are drawing washing allowance- total 7775 (6928 male and 847 female). This figure for calculation purposes is being rounded off to 8000 thereby making provision for any missing or left out employees which may be reflected subsequently.

Pursuant to the Council's decision taken in its meeting on 13.09.2011 for procurement of winter livery by inviting open tenders, based on DOPT/DGS&D/Govt. approved rates, a fresh Sub- Committee to suggest and monitor the procurement of winter livery was constituted under the Chairmanship of Sh. Karan Singh Tanwar, MLA and Member, NDMC vide Chairperson, NDMC orders dated 30.08.2011.

Aforesaid Sub-Committee for procurement of winter livery items for the 2011-2012 (biennial) had following composition:

i) Shri Karan Singh Tanwar, MLA & Member NDMC	Sub-Committee Chairperson
ii) Director(GA) or his representative	Member
iii) Director(Finance) or his representative	Member
iv) Director(Welfare) or his representative	Member
v) Shri Subhash Sharma, Representative of Employees Union	Member
vi) Shri B.S. Bhati, Representative of Employees Union	Member
vii) Shri Ganga Ram, President, NDMC Workers Federation	Member

The Sub Committee held its meeting on 6.9.2011 & 21.9.2011 and submitted its recommendations which are enclosed as **Annexure 'A' (See pages 109 - 110)**. The Sub Committee did not recommend for open tenders or based on DOPT/DGS&D approved rates but recommended for restricted tenders from reputed firms/manufacturers as given below:-

(A) Woolen Cloth:-

- i) M/s. Raymonds
- ii) M/s. OCM
- iii) M/s. NTC
- iv) M/s. Vimal
- v) M/s. Gwalior Mill

(B) Procurement of Shoes

- i) M/s. Action Shoes
- ii) M/s. Liberty Shoes
- iii) M/s. Bata India Ltd.

(C) For Jersey and Socks

- i) M.P. Govt. Emporium
- ii) Punjab Govt. Emporium
- iii) N.T.C.

The matter was referred to Finance Deptt. which observed and advised that as NDMC follows Govt. of India's Rule/Regulations regarding distribution of livery items, the case may be put up with proper justification, reasons and approval of Competent Authority for relaxation in rule. It also observed that the recommendation of the Sub Committee are not on the lines of guidelines issued by DOPT/GOI and the basis of short listing of firms needs to be justified.

The issue of providing Winter Uniforms to staff was discussed at length in the Council Meeting held on 23.12.2011. The members of the Council mentioned that supply of winter uniforms is being delayed and the staff is facing great inconvenience due to it.

4. Detailed Proposal on the Subject/Project.

Considering the above facts in its totality, it was discussed and decided by the Council to give cash payment in lieu of Winter Uniforms for 2011-12 (biennial), as done earlier also, to all eligible Group "C" & "D" employees.

Since representative of employees unions were also following up the matter, the issue was discussed with them and they agreed in principle for cash payment in lieu of winter uniform (for 2011-12) be given to eligible employees but on higher rate. As per past practice in earlier years NDMC has been providing items of uniforms which are expensive than the rates fixed by DOPT. Considering the facts, it is proposed that cash payment in lieu of winter uniform for 2011-12 (biennial) may be given to eligible group "C" & "D" employees of NDMC at the last approved rates of winter uniform (which are higher than DOPT rates) plus stitching charges as per existing DOPT rates. The rates so worked out for 8000 employees as indicated in para 3 above (7078 male and 922 female) are as under:-

Sr.No.	Detailed item	of Rates	Amount incurred for individual last year	
			(A) Male (7078)	(B) Female (922)
01.	Woolen Serge	2.80 mtr. to male employee and 1.80 mtr. to female employee @ Rs. 255/- per meter (which was our last purchase rate)	Rs. 714/-	Rs. 459/-
02.	Shoes	1 Pair @ Rs.275/- per pair to Male employee & @ Rs.250/- to Female employees	Rs. 275/-	Rs. 250/-
03.	Jersey	1 Each @ Rs. 282/-	Rs. 282/-	Rs. 282/-
04.	Socks	1 Pair @ Rs. 25/- per pair are	Rs. 25/-	Rs. 25/-
05.	Stitching charges	@ Rs. 750/- to male and @ Rs. 600/- to female employee (As per DOPT Rates)	Rs. 750/-	Rs. 600/-
		Total per head	Rs. 2046/- x 7078 = Rs. 1,44,81,588/-	Rs. 1616/- x 922 = Rs. 14,89,952/-

Total Rs. 1, 59,71,540/-

As per above statement the total expenditure for 8000 employees comes out to **Rs.1,59,71,540/-** (Rupees One Crore Fifty Nine lac Seventy One Thousand Five Hundred Forty only) for payment of cash in lieu of winter uniform for 2011-12 (biennial) to eligible Group "C" & "D" employees.

5. Financial Implications of the proposed project/subject.

The total expenditure comes out to **Rs.1,59,71,540/-** (Rupees One Crore Fifty Nine lac Seventy One Thousand Five Hundred Forty only).

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

Cash payment will be credited before 31.03.2012 through CBS to the salary accounts of each eligible employee.

7. Comments of the Finance Department on the subject with diary No. & date.

Concurred by the Finance Department vide dairy No.279/Finance dated 3.2.2012.

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

The certificate for stitching charges would be obtained separately later as data for transfer for amounts stands forwarded to CBS.

9. Legal implications of the subject/project.

NA

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

Reso.No.08/(T-01) of Councils Ordinary Meeting dated 24/08/2011 (**Annexure-B, See pages 111 - 118**).

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

No legal Implications

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

NA

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

NA

14. Recommendations

Recommended that cash payment in lieu of winter uniform for 2011-2012 (biennial) to the eligible Group "C" & "D" employees as per details given in para 4 above may be considered for approval.

15. Draft resolution

- (i) Ex-post facto approval for payment of cash payment in lieu of winter uniform for 2011-2012 (biennial) to all eligible Group "C" & "D" employees as mentioned in para No.4 of the agenda is approved. The amount be credited through CBS into their salary account.
- (i) Approval for expenditure sanction amounting to Rs.1,59,71,540/- (Rupees One Crore Fifty Nine lac Seventy One Thousand Five Hundred Forty only) is accorded.
- (ii) Chairperson is authorized to allow payment of cash in lieu of winter uniform for 2011-12 (biennial) to left out eligible employees if any, after verification.

COUNCIL'S DECISION

Resolved by the Council, by majority, to accord :

- (i) Ex-post facto approval for payment of cash in lieu of winter uniform for 2011-2012 (biennial) to all eligible Group "C" & "D" employees as mentioned in para No.4 of the agenda is approved. The amount be credited through CBS into their salary account.
- (ii) Expenditure sanction amounting to Rs.1,59,71,540/- is accorded.
- (iii) Chairperson is authorized to allow payment of cash in lieu of winter uniform for 2011-12 (biennial) to the left out eligible employees if any, after verification.

Annexure 10 pages

Annexure ends

ITEM NO. 13 (A-25)

1. **Name of Work:-** Waste Water Management / Treatment for Reuse of Water for Hort, Purpose. S. H.:- Construction of Tertiary Treatment Plants at Lodhi Garden, Nehru Park and Talkatora Garden. (Preliminary Estimate Thereof).
2. **Name of the Deptt.** : Civil Engineering, Public Health Circle,
Sewer Project Division.

3. Brief History of the Subject / Project:

M/s. SNC-LAVALIN Infrastructure Pvt. Ltd. was engaged as consultant for preparation of DPRs for utilization / Treatment of unfiltered water received from DJB STP Okhla. In phase-I, the consultant has proposed the construction of TTPs for treatment of unfiltered water of capacity of existing available unfiltered water through CPWD network in three gardens. Accordingly, preliminary estimate amounting to Rs 5,11,30,000/- has been framed for construction of TTPs based on Anoxic Bioremediation (ABR) and Constructed Wetlands (CW) technology with the provision of chlorination and activated carbon filter, construction of underground storage reservoirs for storage of unfiltered water for 12 hrs detention period and construction of underground storage reservoirs for storage of treated / filtered water for 1 day detention period, at following Parks

Lodhi Garden	–	0.45 MLD- 1 no, 0.15 MLD- 02 nos,
Nehru Park	–	0.15 MLD-03 nos,
Talkatora Garden	–	0.15 MLD-01 no.

4. Detailed Proposal on the subject/project:

The proposal contained for the construction of TTPs based on Anoxic Bioremediation (ABR) and Constructed Wetlands (CW) technology with the provision of chlorination and activated carbon filter, construction of underground storage reservoirs for storage of unfiltered water for 12 hrs detention period and construction of underground storage reservoirs for storage of treated / filtered water for 1 day detention period for three major gardens, Lodhi Garden – 0.45 MLD near kothi no. 21A on Amrita Shergil lane, 0.15 MLD near glass house nursery and 0.15 MLD near gate no. 1 (opposite Mausam Bhawan). Nehru Park – 0.15 MLD near entry gate (opposite to Australian embassy), 0.15 MLD near entry gate (opposite to Pakistan embassy) and 0.15 MLD near foundation stone of Nehru Park and Gulab nursery (opposite to Serbia embassy). Talkatora Garden – 0.15 MLD near entry gate on Mother Teresa Crescent road and adjacent to boundary wall of Talkatora garden.

5. Budget Provision:

There exists a budget provision of Rs 3.83 lakhs under RE for year 2011-12 and Rs 5.00 lakhs under BE for year 2012-13 under head 52.412.40.4.24.116 at page no. 362 of budget book 2012-13 Vol.2

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

After approval, the implementation schedule will be as under:-

Appointment of consultant for preparation of specification/DE	10 weeks.
Technical sanction of DE	06 weeks.
Preparation and approval of draft NIT	06 weeks.
Call of tenders	08 weeks
Award of work	04 months.
The execution of works	15 months.

7. Comments of the Finance Department on the Subject:

The Finance department while giving no objection to proposal of the department vide Dy. No 200 dt. 02.02.2012 observed as under:

"In another file pertaining to DPR of this project, finance has given some observations. Subject to acceptance of DPR by competent authority and decision being taken to take all the three works instead of having pilot project in the first instance, keeping the possibility of project being covered under JNNURM for entire untreated water supply system by DJB, we have no objection to the proposal of the deptt. given on P-13/N."

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

DPR already accepted by the competent authority. It is proposed for AA/ES as proposed by department for providing TTPs at all the major three gardens of NDMC.

As per the advice of finance department, execution of only one TTP of 0.45 MLD capacity in Lodhi garden shall be taken up initially.

9. Legal Implication of the Subject:

--Nil--

10. Details of previous Council Reso. Existing Law of Parliament and Assembly on the subject:

--Nil--

11. Comments of Law Department:

--Nil--

12. Comments of the department on comment of 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:

The case is laid before the council for the consideration and accord of A/A&E/S for an amount of Rs 5,11,30,000/- for the work of "Name of Work:- Waste Water Management / Treatment for Reuse of Water for Hort, Purpose. S. H.:- Construction of Tertiary Treatment Plants at Lodhi Garden, Nehru Park and Talkatora Garden."

COUNCIL'S DECISION:

Resolved by the Council to accord administrative approval and expenditure sanction amounting to Rs.5,11,30,000/- for the work of "Name of Work:- Waste Water Management / Treatment for Reuse of Water for Hort, Purpose. S. H.:- Construction of Tertiary Treatment Plants at Lodhi Garden, Nehru Park and Talkatora Garden."

It was further resolved by the Council to first execute the above work at the Talkatora Garden as a pilot project and on evaluating its results, further projects be undertaken.

ITEM NO. 14 (C-26)**REPORT OF THE COMMITTEE CONSTITUTED U/S 9 OF NDMC ACT 1994, FOR ADVISING THE COUNCIL ON FRAMING BYE-LAWS / REGULATIONS, IN ITS MEETING HELD ON 31.01.2012 AT 3-00 P.M. AND AGAIN HELD ON 03.02.2012 AT 12-00 NOON, ADJOURNED FOR WANT OF QUORUM AND AGAIN HELD ON THE SAME DAY AT 12-15 P.M. IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.**

In exercise of the powers conferred by sub-section (5) of section 28 read with sub-section (2) of Section 387 of the New Delhi Municipal Council Act, 1994 (Act No. 44 of 1994), the Council, with the approval of the Central Government, made The New Delhi Municipal Council (Procedure and Conduct of Business) Regulations, 1997 (**placed at Annexure – I, See pages 124 - 135**). The Notification was published in the Delhi Gazette dated 30th June, 1998.

Now, the New Delhi Municipal Council (Amendment) Bill, 2011 (**placed at Annexure – II, See pages 136 – 137**) has been passed by both the Houses of the Parliament in December 2011. In the said NDMC (Amendment) Bill, 2011, Section 4 of the NDMC Act, 1994 has been amended, resultantly the number of Members of the Council has been increased from 11 to 13 and also Section 25 of the NDMC Act, 1994 has been amended, which provides for the order of the members for Presiding over the meeting of the Council. It has been learnt from the Ministry of Home Affairs, Govt. of India, that the official notification of the Bill is in process.

In the mean time, the Ministry of Home Affairs, Govt. of India, vide their F.No.14011/4/2012-Delhi-II, dated 19th January, 2012 (**placed at Annexure III, See page 138**), has requested to NDMC to move a suitable proposal for amending the New Delhi Municipal Council (Procedure and Conduct of Business) Regulations, 1997, in order to bring it in conformity with the New Delhi Municipal Council Act, 2011.

The NDMC (Amendment) Bill 2011 would come into effect from the date it is published in the Official Gazette. Because of the amendments made in sections 4 & 25 of the NDMC Act, 1994, the NDMC (Procedure and Conduct of Business) Regulations 1997 are also required to be amended accordingly.

Therefore, a draft proposal, as at **Annexure IV (See pages 139 - 154)**, to amend the NDMC (Procedure and Conduct of Business) Regulations 1997, was placed before the Committee, framed u/s 9 of the NDMC Act, 1994, constituted by the Council for framing Bye-laws/Rules/Regulations, in its said meeting held on 31.01.2012 & on 03.02.2012.

The minutes of the Committee is **placed at Annexure –V (See pages 155 - 156)**, in which the Committee has recommended for placing the same in the Council, for its consideration and approval. After incorporating the aforesaid amendments, draft amended NDMC (Procedure and Conduct of Business) Regulations are placed below as **Annexure VI (See pages 157 - 168)** for consideration and approval of the Council.

It may be resolved by the Council to accord approval to the amended NDMC (Procedure and Conduct of Business) Regulations (**placed at Annexure –VI, See pages 157 - 168**), with the direction to send the same to the Central Government for its approval and notification.

COUNCIL'S DECISION

Resolved by the Council, by majority, to accord approval to the amended NDMC (Procedure and Conduct of Business) Regulations, as placed at Annexure –VI of the preamble with the direction to send the same to the Central Government for its approval and notification.

ANNEXURE - I**GOVT. OF THE NATIONAL CAPITAL TERRITORY OF DELHI****DEPARTMENT OF URBAN DEVELOPMENT****NOTIFICATION**

Delhi, the 30th June, 1998

No. F.4(28)97-98/UD/7498 – The following is published for general information :-

NEW DELHI MUNICIPAL COUNCIL**NOTIFICATION**

In exercise of the powers conferred by sub-section (5) of section 28 read with sub-section (2) of Section 387 of the New Delhi Municipal Council Act, 1994 (Act No. 44 of 1994), the Council, with the approval of the Central Government, hereby makes the following regulations, namely :-

PRELIMINARY

1. Short title and commencement : - (1) These regulations may be called The New Delhi Municipal Council (Procedure and Conduct of Business) Regulations, 1997.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions : - (1) In these regulations, unless the context otherwise requires :-

- (a) "Act" means the New Delhi Municipal Council Act, 1994 (Act No. 44 of 1994) ;
- (b) "Clear days" means days exclusive of the day of issue of a notice or intimation, and of the day of the meeting, but it includes Saturdays, Sundays and holidays;
- (c) "Committee" means a Committee constituted by the Council under sub-section (1) of section 9 ;
- (d) "motion" means a proposal to evoke action on the part of the Council and includes an amendment of a motion ;
- (e) "regulation" means a regulation of the New Delhi Municipal Council (Procedure and conduct of Business) Regulations, 1996 ;
- (f) "resolution" means a proposal for the purpose of discussing a matter of general public interest relating to the municipal government of New Delhi in a meeting of the Council ;
- (g) "Roll of Members" means a register in which new members sign after making and subscribing the oath or affirmation and before taking their seats for the first time in the Council ;
- (h) "Secretary" means the Secretary of the Council appointed under section 33 of the Act, and includes any other person as is empowered to perform the functions of the Secretary ;

- (i) "section" means a section of the Act ;
- (j) "sitting" means the sitting together of the members of the Council on any day for the transaction of business from the commencement of such transaction till the Council rises for the day ;
- (2) Words and expressions used in the Act and not defined herein shall, unless the context otherwise requires, have the meanings assigned to them in the Act.

CHAPTER II

MEETINGS OF COUNCIL, SEATING, OATH OR AFFIRMATION AND ROLL OF MEMBERS

3. Meetings of Council : - (1) The Council shall ordinarily hold at least one meeting in every month for the transaction of business.
 - (2) The date, time and place of the meeting of the Council shall be fixed by the Chairperson.
 - (3) The date, time and place of the second meeting of the Council, if necessary, shall be decided by the Council at its first meeting of the month.
4. Secretary to intimate the date etc. of the meetings :- The Secretary shall, atleast fifteen clear days before the date fixed for the first ordinary meeting of the month and at least three clear days before the date fixed for the second ordinary meeting of the month by the Council, send or cause to be sent to all the members intimation of the date, time and place of such meeting.
5. Chairperson may on his own motion and shall when requisitioned by members call special meeting -
 - (1) The Chairperson may on his own motion call a special meeting of the Council on a date, time and place fixed by him.
 - (2) The Chairperson and in his absence the Vice-Chairperson shall, upon a requisition in writing by not less than one fourth of the total number of members, convene a special meeting of the Council within two clear days from the date of the receipt of such requisition.
 - (3) The Secretary shall at least one clear day before the date fixed for a special meeting send or cause to be sent to all the members intimation of the date, time and place of such special meeting.
6. Notice of the meeting on the Notice Board :- A notice stating the date, time and venue of every meeting of the Council shall be placed on the date of its issue on notice board at the office of the Council.
7. Service of the notice : - Every notice under these regulations shall, if practicable, be served personally by delivering or tendering it to the member to whom it is addressed or if such person is not found, by leaving it at his last known place of residence or by giving or tendering the notice to some adult member or servant of his family found at his usual place of residence or at his last known place of abode, and if none of the means is possible, then by causing the notice to be affixed on some conspicuous part of the building in which the member resides.

8. Persons to be present at the meeting :- The Secretary and such other officers as may be authorized by the Chairperson shall be present at every meeting of the Council. They shall, however, have no right to vote at such a meeting.
9. Seating :- The members shall sit in such order as the Chairperson may determine.
10. Oath or affirmation :- A member who has not already made and subscribed an oath or affirmation, in pursuance of section 7 of the Act, may do so at the commencement of a sitting of the Council, or at any other time of the sitting of the Council, as the Chairperson may direct, on any day after giving previous notice in writing to the Secretary.
11. Roll of Members :- There shall be a Roll of Members of the Council which shall be signed in the presence of the Secretary by every member, before taking his seat.
12. Duly constituted sitting : - A sitting of the Council is duly constituted when it is presided over by the Chairperson or any other member competent to preside over a sitting of the Council under the Act.

CHAPTER – III

ARRANGEMENT OF BUSINESS AND LIST OF BUSINESS

13. List of Business : - A list of business (including a supplementary list) for the meeting shall be prepared by the Secretary under the directions of the Chairperson and a copy thereof shall be made available for the use of every member.
 - (2) Save as otherwise provided in these regulations, no business not included in the list of business for the meeting shall be brought before or transacted at any sitting without the permission of the Chairperson.
 - (3) Save as otherwise provided in these regulations, no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that business expires.
14. Arrangement of business :- (1) The list of business of an ordinary meeting shall, as far as possible, be arranged by the Secretary in the following order, namely :-
 - (a) Confirmation and signing at such meeting by the presiding officer thereof of the minutes of the last ordinary meeting or meetings or and of the minutes of any special meeting since the last ordinary meeting.
 - (b) Questions.
 - (c) Business from the Chairperson.
 - (d) Reports of Committees.
 - (e) Notice of resolutions given by the members under the provision to section 23.
 - (2) The order of business shall not be varied unless the Chairperson is satisfied that there is sufficient ground for such variation.

15. Notice of business : - (1) A list of business to be transacted at every meeting except at an adjourned meeting shall be sent to the address of each member at least seventy two hours before the time fixed for such meeting.

(2) In the case of the special meeting, the list of business to be transacted there, shall be sent at least twenty four hours before the time fixed for such meeting.

16. Supplementary list of business relating to certain urgent matters : - Notwithstanding anything contained in these regulations, the Secretary may prepare under the directions of the Chairperson a supplementary list of business with respect to any urgent matters proposed by the Chairperson and circulate that list to the members for consideration at the ensuing meeting whether ordinary or special or adjourned.

17. Business at Special Meetings :- (1) When a special meeting of the Council is to be convened under regulation 5, the Chairperson or the members requisitioning such a meeting, as the case may be, shall indicate to the Secretary the business to be transacted at such a meeting.

(2) No business other than the business included in the list of business to be transacted at the special meeting under sub-regulation (2) of regulation 15 shall be brought before, or transacted at the meeting.

CHAPTER – IV

QUESTIONS

18. Questions : - (1) Unless the Chairperson otherwise directs, not more than one hour at the first day or every meeting of the Council shall be available for the asking and answering of questions.

(2) No question shall be asked at an adjourned or special meeting.

(3) No member shall ask more than three questions at any such meeting, referred to in sub-regulation (1).

19. Period of Notice : - Unless the Chairperson otherwise directs, not less than seven clear days' notice of a question shall be given.

20. Form of Notice : - (1) Notice of a question shall be given in writing to the Secretary and shall specify -

- (i) the text of the question ;
- (ii) the monthly meeting at which it is intended to ask the question ; and
- (iii) the order of preference, if any, for its being placed on the list of question, where a member tables more than one notice of questions for the same meeting.

(2) Where a notice is signed by more than one member, it shall be deemed to have been given by the first signatory only.

(3) If the order of preference, referred to in clause (iii) of sub-regulation (1) is not indicated, the question shall be placed in the list in the order in which notice thereof was received by the Secretary in point of time.

21. Rotation of Questions : - (1) Questions in the name of a member shall be entered in the list in three rounds or less according to the number of questions admitted in his name. All members who have questions in the list will have one question each entered in the first round and after completing the first question of all the members on the list their second and third questions, if any, will in the like order be placed in the second and third rounds respectively.

(2) The priority to be given to Members inter se for rotating their question shall be determined according to sitting arrangements fixed in the first meeting of the Council, and the priority so fixed shall continue to be rotated in that order for every subsequent ordinary meeting.

22. List of Questions :- The Secretary shall prepare a list of all admitted questions in the order indicated in regulation 21 and circulate the same along with written answers to every member, before the sitting of the meeting.

Provided that if answer to any question is not ready, the question shall stand for the next ordinary meeting for answer.

23. Answering of Questions : - (1) If a question placed on the list of question on any day is not called for answer within the time available for answering questions on that day, or if called for answer the member in whose name it stands is absent, a written answer to such question shall be deemed to have been given at the end of the question hour :

Provided that if a member, on being called by the Chairperson, states that it is not his intention to ask the question standing in his name, the question shall be treated as having been withdrawn and no written answer thereto shall be deemed to have been given.

(2) If there is no question hour owing to the cancellation of a sitting or its adjournment without transacting any business, the answers to questions included in the list of questions shall be deemed to have been given in the Council and form part of the proceedings of the Council.

Provided that if the question hour is interrupted after having taken up the list of question and the list is partly disposed of during the question hour and the sitting continue, answer to all the remaining questions in the list of questions shall be deemed to have been answered and form part of the proceedings of the Council.

24. Admissibility of Questions :- Subject to the provisions of sub-sections (2) and (3) of section 28 of the Act, the Chairperson shall also be guided by the following while admitting a question, namely :

- (i) It shall be clearly and precisely expressed and shall not be too general incapable of any specific answer or in the nature of a leading question.
- (ii) It shall not ordinary exceed 150 words.
- (iii) It shall not ask about proceedings in the Committee which have not been placed before the Council.
- (iv) It shall not reflect on the character or conduct of any person.

25. Chairperson to decide admissibility : - (1) The Chairperson shall decide whether a question, or a part thereof, is or is not admissible under the Act and these regulations and may disallow any question, or a part thereof, when in his opinion it is in contravention of the Act or of these regulations.

(2) If a question or a part thereof has been disallowed by the Chairperson, the Secretary shall inform in writing the member who has given the notice of the question indicating the reasons for disallowing it.

26. Mode of asking questions : - (1) When the time for asking questions arrives, the Chairperson shall call successively each member in whose name a question appears on the list of questions.

(2) The member so called shall, unless he states that it is not his intention to ask the question standing in his name, ask the question by reference to its number on the list of questions.

(3) If on a question being called it is not asked as the member in whose name it stands is absent, the Chairperson may, at the request of any other member, give the answer.

27. Supplementary Questions : - (1) The member in whose name a question is listed, who shall have the first preference, or any other member, when called by the Chairperson, may ask a supplementary matter of fact regarding which an answer has been given orally :

Provided that not more than two supplementaries shall be allowed in respect of any question.

(2) A supplementary question shall be held out of order by the Chairperson if, in his opinion –

(i) it does not arise from the main question or its answer ;

(ii) instead of seeking information, it gives information ;

(iii) It involves more than one separate issues ;

(iv) It seeks confirmation or denial of an opinion ; and

(v) It infringes any of the provisions of the Act or of these regulations regarding questions.

(3) No discussion shall be permitted during the time for question in respect of any question or of any answer given to a question.

28. Lapse of pending questions referred to members : - Where a reference is made to a member in connection with the notice of a question and no reply is received or a reply received from him is too late for the consideration of the Chairperson and the placing of the question, if admitted, on the list of questions for the appropriate meeting, such notice shall be deemed to have lapsed.

29. Prohibition of advance publicity of answers : - Answers to questions which the Chairperson proposes to give in the Council shall not be released for publication until the answers have actually been given in the Council.

CHAPTER V

URGENT MATTERS

30. Procedure regarding raising urgent matters : - (1) A member may, with the permission of the Chairperson, raise any matter of urgent public importance relating to the municipal government of New Delhi or the administration of the Act :

Provided that not more than two such matters shall be raised for any one sitting :

Provided further that the second matter shall not be raised by the same member who has raised the first matter.

- (2) The Chairperson may make a brief statement or ask for time to make a statement at a later hour or date.
- (3) There shall be no discussion on such statement at the time it is made.

CHAPTER VI

ASSURANCES

31. Implementation of Assurances :- In respect of any assurance, promise, undertaking, etc. given by the Chairperson in a meeting of the Council, a statement shall be laid, not later than three months of giving such assurance, promise, undertaking etc. on the table of the Council showing the manner of its implementation :

Provided that such statement shall also include all such assurances, promises, undertakings, etc., where it has not been possible to implement them.

CHAPTER VII

RESOLUTIONS

32. Notice of Resolution : - (1) A member (including the Chairperson) who wishes to move a resolution shall give notice to that effect to the Secretary so as to reach him at least forty-eight hours before the date fixed for the meeting. He shall also submit with the notice a copy of the resolution which he wishes to move :

Provided that the Chairperson may allow a shorter notice.

- (2) No member shall send notice of more than two resolutions for an ordinary meeting.

33. Form of resolution : - A resolution is a proposal for the purpose of discussing a matter, relating to the municipal government of New Delhi or the administration of the Act, of general public interest, in a meeting of the Council. It may be in the form of a recommendation or request an action ; or call attention to a matter or situation for consideration by the Council, or in such other form as the Chairperson may consider appropriate.

34. Admissibility of resolution : - In order that a resolution may be admissible, it shall satisfy the following conditions, namely :

- (i) it shall be clearly and precisely expressed ;
- (ii) it shall raise substantially one definite issue only ;
- (iii) it shall not contain arguments, inferences, ironical expressions, imputations or offensive or defamatory statement ;
- (iv) it shall not refer to the conduct or character of persons except in their official or public capacity ; and

- (v) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

35. Chairperson to decide the admissibility :- The Chairperson shall decide whether a resolution or a part thereof, is or is not admissible under the Act and these regulations and may disallow any resolution or a part thereof when in his opinion, it is an abuse of the right of moving a resolution or calculated to obstruct or prejudicially affect the proceedings of the Council or is in contravention of the Act and these regulations or he may amend it so as to bring it in conformity with these regulations.

36. Matters before tribunals, Commissions, etc. :- No resolution which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any Commission or court of enquiry appointed to enquire into, or investigate any matter shall be permitted to be moved.

37. Circulation of Resolution :- The Secretary shall, with all possible dispatch, take steps to circulate all the admitted resolutions to every member.

38. Moving of resolution :- (1) A member in whose name a resolution stands shall, except when he wishes to withdraw it, when called upon, move the resolution, and shall commence his speech by a formal motion in the terms appearing in the list of business.

(2) A member may, with the permission of the Chairperson authorize any other member, to move it on his behalf, and the member so authorized may move it accordingly.

39. Amendments :- After a resolution has been moved any member may, subject to the regulations 33, 34 and 36, move an amendment to the resolution.

40. Time limit for speeches :- No speech on a resolution shall, except with the permission of the Chairperson, exceed ten minutes in duration.

41. Scope of discussion :- The discussion on a resolution shall be strictly to and within the scope of the resolution.

42. Withdrawal of resolution and amendment :- (1) A member in whose name a resolution stands may, when called upon, withdraw the resolution, and shall confine himself to a mere statement to that effect.

(2) A member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the Council.

43. Repetition of Resolution :- When a resolution has been moved no resolution or amendment raising substantially the same question shall be moved within three months from the date of the moving of the earlier resolution.

44. Lapse etc. of Resolution :- (1) Any resolution appearing in the list of business for any month which does not come up for consideration at a meeting for which it is included in the list of business shall lapse.

(2) Any resolution appearing in the list of business for any month which is not moved at the meeting for which it is included in the list of business shall be considered as dropped.

(3) Nothing in sub-regulations (1) and (2) shall prevent any member from giving a fresh notice of the same resolution to the Secretary.

CHAPTER VIII

COMMITTEES

45. Chairperson of Committee :- (1) The Chairperson of the Council shall preside over a meeting of a Committee.

(2) If the Chairperson is for any reason unable to act or is absent from any sitting, the Committee shall choose another member to act as Chairperson for that sitting.

Provided that if the Vice-Chairperson is a member of the Committee, he shall preside over the meeting.

46. Quorum in Committee :- (1) Quorum of any meeting of the Council shall be 5 members out of the total number of the members of the Council :

Provided that there shall be present at least two out of the five non-official members to constitute a quorum.

(2) If at any time fixed for any sitting of the Committee, or if at any time during any such sitting, there is no quorum the Chairperson of the Committee shall either suspend the sitting until there is a quorum or adjourn the sitting to some future day.

(3) When the Committee has been adjourned in pursuance of sub-regulation (2) on two successive times fixed for sittings of the Committee, the Chairperson shall report the fact to the Council.

47. Decision in Committee : - (1) All questions at any sitting of a Committee shall be determined by a majority of votes of the members present and voting.

(2) In the case of any equality of votes on any matter, the Chairperson or the person acting as such, shall have a second or casting vote.

48. Sitting of Committee :- The sittings of a Committee shall be held on such days and at such hour as the Chairperson may fix :

Provided that the sittings shall be held, as far as possible, on working days.

49. Record of decisions :- A record of the decisions / recommendations of a Committee shall be maintained and circulated to members of the Committee under the direction of the Chairperson.

CHAPTER IX

GENERAL RULES OR PROCEDURE

50. Mode of giving notice : - Every notice required by the Act and these regulations shall be given in writing addressed to the Secretary and signed by the member giving notice and delivered at his office during working hours.

51. Circulation of notices and papers to members :- The Secretary shall make every effort to circulate to each member a copy of every notice or other paper which is required by these regulations to be made available for the use of members.

52. Prohibition of advance publicity of notices :- A notice shall not be given publicity by any member or other person until it has been discussed in the meeting of the Council.

Provided that a notice of a question shall not be given any publicity until the day on which the question is answered by the Chairperson.

53. Power of Chairperson to amend notices :- If in the opinion of the Chairperson, any notice contains words, phrases or expressions which are argumentative, unparliamentary, ironical, irrelevant, verbose, or otherwise inappropriate, he may, in his discretion, amend such notice before it is circulated.

54. Repetition of Resolution etc. – A resolution or any matter under regulation 30 shall not raise a question substantially identical with one on which the Council has considered or discussed during a period of three months.

55. Language to be used at meetings :- The business at a meeting of the Council or any Committee thereof shall be transacted in Hindi or English.

56. Modification of a resolution :- No resolution shall be modified or cancelled within three months of the passing thereof, except by a resolution passed by not less than two thirds of the total number of members of the Council.

57. Rules to be observed by members :- Whilst the Council is sitting, a member -

- (i) shall not read any book, newspaper or letter except in connection with the business in the Council ;
- (ii) shall not interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner ;
- (iii) shall bow to the Chair while entering or leaving the Council, and also when taking or leaving his seat ;
- (iv) shall always address the Chair ;
- (v) shall keep to his usual seat while addressing the Council ;
- (vi) shall not obstruct proceedings, his or interrupt and shall avoid making running commentaries when another member is speaking ;
- (vii) shall not shout slogans in the meeting ;
- (viii) shall not tear off documents in protest in a meeting ;
- (ix) shall not bring or play cassette or tape recorder or use cellular phone.

58. Model of addressing the meeting – A member desiring to make any observations on any matter before the Council shall speak from his place and shall address the Chairperson.

59. Rules to be observed while speaking:- A member while speaking shall not -

- (i) refer to any matter of fact on which a judicial decision is pending;

- (ii) make personal reference by way of making an allegation imputing a motive to or questioning the bonafides of any other member or official of the Council;
- (iii) use offensive expressions about the conduct or proceedings of the Council;
- (iv) reflect on any decision of the Council except on a resolution for rescinding it;
- (v) utter treasonable, seditious or defamatory words;
- (vi) obstruct the business of the Council;
- (vii) refer to Council officials by name; and
- (viii) make any allocation of a defamatory or incriminatory nature against any person.

60. Order of speeches and right of reply: (1) After the member who moves a resolution has spoken, other members may speak in such order as the Chairperson may call them. If any member who is so called upon does not speak, he shall not be entitled, except with the permission of the Chairperson, to speak on the resolution at any later stage.

- (2) Except in the exercise of right of reply or as otherwise provided by these regulations, no member shall speak more than once on any resolution, except with the permission of the Chairperson.
- (3) A member who has moved a resolution may speak again by way of reply. Reply by him shall in all cases conclude the debate.

61. Language and manner of keeping proceedings:- (1) The proceedings of each meeting of the Council shall be tape-recorded and kept in the custody of the Secretary.

- (2) In the proceedings shall be entered the names of the members present at each meeting the decisions arrived at. The proceedings shall be prepared by the Secretary and signed by the presiding officer of that meeting. A copy of the proceedings shall be sent to each member by the Secretary.
- (3) At the time of the next meeting, when the confirmation of the minutes is sought, the proceeding shall be deemed to have read out at that meeting.

62. Custody of Papers:- The Secretary shall have custody of all records, documents and papers belonging to the Council or any of its Committee and he shall not permit such records, documents or papers to be taken out of the precincts of the office without the permission of the Chairperson.

63. Residuary powers:- All matters not specifically provided for in these regulations and all questions relating to the detailed working of these regulations shall be regulated in such manner as the Chairperson may, from time to time, direct.

64. Repeal and saving:- The bye-laws of the New Delhi Municipal Committee approved by the Chief Commissioner, Delhi, vide his notification No.F.3(64)41-LSG, dated the 6th August, 1941 is hereby repealed:

Provided that such repeal shall not effect:-

- (a) the previous operation of the said bye-laws or anything duly done or committed to be done; or

- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the said bye-laws, as if the said bye-laws had not been repeated.

By Order,

SECRETARY (NDMC)

By Order,

Principal Secretary

ANNEXURE –II

Bill No.84-F of 2010

**THE NEW DELHI MUNICIPAL COUNCIL (AMENDMENT) BILL, 2011
(AS PASSED BY THE HOUSE OF PARLIAMENT)**A
BILL*further to amend the New Delhi Municipal Council Act, 1994.*

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:-

1. (1) This Act may be called the New Delhi Municipal Council (Amendment) Act, Short title and
(2) It shall come into force on such date as the Central Government may, by n commencement.
the Official Gazette, appoint.
 2. In the New Delhi Municipal Council Act, 1994 (hereinafter referred to as the pri Amendment of
section 4, - section 4.
(a) in sub-section (1), -
 - (i) in clause (b), for the words "three members", the words "two members" shall be substituted;
 - (ii) in clause (d), for the words "two members", the words "four members" shall be substituted;
 - (iii) after clause (d), the following clause shall be inserted, namely:-

"(e) the Member of Parliament, representing constituency which comprises wholly or partly the New Delhi area.";
 - (b) sub-section (2) shall be omitted;
 - (c) for sub-section (3), the following sub-section shall be substituted, namely:-

"(3) Out of the thirteen members referred to in sub-section (1), there shall be, at least,-

 - (a) three members who are women;
 - (b) two members belonging to the Scheduled Castes, out of which one member shall be from the members nominated under clause (d) of sub-section (1)".
3. In section 25 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) The meetings of the Council shall be presided over, in the following order, by,-

 - (a) The Chief Minister of Delhi, if he is a member of the Legislative Assembly of Delhi representing the constituency which comprises wholly or partly the New Delhi area, and attends the meeting being a member of the Council under clause (b) of sub-section (1) of section 4; or
 - (b) The Union Minister, if he is a Member of Parliament representing the constituency which comprises wholly or partly the New Delhi area, and attends the meeting being a member of the Council under clause (e) of sub-section (1) of section 4; or
 - (c) The Minister in the Government of National Capital Territory of Delhi, if he is a Member of the Legislative Assembly of Delhi representing the constituency which comprises wholly or partly the New Delhi area, and attends the meeting being a member of the Council under clause (b) of sub-section (1) of section 4; or
 - (d) The Member of Parliament not being a Minister for the Union representing the constituency which comprises wholly or partly the New Delhi area, and attends

the meeting being a member of the Council under clause (e) of sub-section (1) of section 4; or
(e) The Chairperson of the Council.”.

The above Bill has been passed by the House of Parliament.

Dated the

Chairman

I assent to this Bill.

Date the

President.

Annexure one page

Letter from mha

**NEW DELHI MUNICIPAL COUNCIL
(DRAFT REGULATIONS)**

PRELIMINARY

1. Short title and commencement : - (1) These regulations may be called The New Delhi Municipal Council (Procedure and Conduct of Business) Regulations, 2012.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions: - (1) In these regulations, unless the context otherwise requires:-

- (a) "Act" means the New Delhi Municipal Council Act, 1994 (Act No. 44 of 1994) read with New Delhi Municipal Council(Amendment) Act, 2011
- (b) "Clear days" means days exclusive of the day of issue of a notice or intimation, and of the day of the meeting, but it includes Saturdays, Sundays and holidays ;
- (c) "Committee" means a Committee constituted by the Council under sub-section (1) of section 9 ;
- (cc) "Presiding Officer" means a member referred in section 25 of the Act and shall preside over the meeting of the council.
- (d) "motion" means a proposal to evoke action on the part of the Council and includes an amendment of a motion ;
- (e) "regulation" means a regulation of the New Delhi Municipal Council (Procedure and conduct of Business) Regulations, 2012 ;
- (f) "resolution" means a proposal for the purpose of discussing a matter of general public interest relating to the municipal government of New Delhi in a meeting of the Council ;
- (g) "Roll of Members" means a register in which new members sign after making and subscribing the oath or affirmation and before taking their seats for the first time in the Council ;
- (h) "Secretary" means the Secretary of the Council appointed under section 33 of the Act, and includes any other person as is empowered to perform the functions of the Secretary ;
- (i) "section" means a section of the Act ;
- (j) "sitting" means the sitting together of the members of the Council on any day for the transaction of business from the commencement of such transaction till the Council rises for the day ;

(2) Words and expressions used in the Act and not defined herein shall, unless the context otherwise requires, have the meanings assigned to them in the Act.

CHAPTER II

MEETINGS OF COUNCIL, SEATING, OATH OR AFFIRMATION AND ROLL OF MEMBERS

3. Meetings of Council : - (1) The Council shall ordinarily hold at least one meeting in every month for the transaction of business.
 - (2) The date, time and place of the meeting of the Council shall be fixed by the Chairperson.
 - (3) The date, time and place of the second meeting of the Council, if necessary, shall be decided by the Council at its first meeting of the month.
4. Secretary to intimate the date etc. of the meetings :- The Secretary shall, at least ten clear days before the date fixed for the first ordinary meeting of the month and at least three clear days before the date fixed for the second ordinary meeting of the month by the Council, send or cause to be sent to all the members intimation of the date, time and place of such meeting.
5. Chairperson may on his own motion and shall when requisitioned by members call special meeting -
 - (1) The Chairperson may on his own motion call a special meeting of the Council on a date, time and place fixed by him.
 - (2) The Chairperson and in his absence the Vice-Chairperson shall, upon a requisition in writing by not less than one fourth of the total number of members, convene a special meeting of the Council within two clear days from the date of the receipt of such requisition.
 - (3) The Secretary shall at least one clear day before the date fixed for a special meeting send or cause to be sent to all the members intimation of the date, time and place of such special meeting.
6. Notice of the meeting on the Notice Board :- A notice stating the date, time and venue of every meeting of the Council shall be placed on the date of its issue on notice board at the office of the Council.
7. Service of the notice : - Every notice under these regulations shall, if practicable, be served personally by delivering or tendering it to the member to whom it is addressed or if such person is not found, by leaving it at his assigned office to be received by the staff attached or last known place of residence or by giving or tendering the notice to some adult member or servant of his family found at his usual place of residence or at his last known place of abode, and if none of the means is possible, then by causing the notice to be affixed on some conspicuous part of the building in which the member resides.
8. Persons to be present at the meeting :- The Secretary and such other municipal officers as may be authorized by the Chairperson shall be present, speak in, or otherwise take part in the proceedings of, any meeting of the Council or any of its Committees. They shall, however, have no right to vote at such a meeting.
9. Seating :- The members shall sit in such order as the Chairperson may determine.

10. Oath or affirmation :- A member who has not already made and subscribed an oath or affirmation, in pursuance of section 7 of the Act, may do so at the commencement of a sitting of the Council, or at any other time of the sitting of the Council, as the Chairperson may direct, on any day after giving previous notice in writing to the Secretary.
11. Roll of Members :- There shall be a Roll of Members of the Council which shall be signed in the presence of the Secretary by every member, before taking his seat.
12. Duly constituted sitting : - A sitting of the Council is duly constituted when it is presided over by the Presiding Officer over a sitting of the Council under the Act.

CHAPTER – III

LIST OF BUSINESS

13. List of Business : - A list of business (including a supplementary list) for the meeting shall be prepared by the Secretary under the directions of the Chairperson and a copy thereof shall be made available for the use of every member.
 - (2) Save as otherwise provided in these regulations, no business not included in the list of business for the meeting shall be brought before or transacted at any sitting without the permission of the Presiding Officer.
 - (3) Save as otherwise provided in these regulations, no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that business expires.

ARRANGEMENT OF BUSINESS

14. Arrangement of business :- (1) The list of business of an ordinary meeting shall, as far as possible, be arranged by the Secretary in the following order, namely :-
 - (a) Confirmation and signing at such meeting by the presiding officer thereof of the minutes of the last ordinary meeting or meetings or and of the minutes of any special meeting since the last ordinary meeting.
 - (b) Questions.
 - (c) Business from the Chairperson.
 - (d) Reports of Committees.
 - (e) Notice of resolutions given by the members under the provision to section 23.

(2) The order of business shall not be varied unless the Presiding Officer is satisfied that there is sufficient ground for such variation.
15. Notice of business : - (1) A list of business to be transacted at every meeting except at an adjourned meeting shall be sent to the address of each member at least seventy two hours before the time fixed for such meeting.

(2) In the case of the special meeting, the list of business to be transacted there, shall be sent at least twenty four hours before the time fixed for such meeting.

16. Supplementary list of business relating to certain urgent matters : - Notwithstanding anything contained in these regulations, the Secretary may prepare under the directions of the Chairperson a supplementary list of business with respect to any urgent matters proposed by the Chairperson and circulate that list to the members for consideration at the ensuing meeting whether ordinary or special or adjourned.
17. Business at Special Meetings :- (1) When a special meeting of the Council is to be convened under regulation 5, the Chairperson or the members requisitioning such a meeting, as the case may be, shall indicate to the Secretary the business to be transacted at such a meeting.

(2) No business other than the business included in the list of business to be transacted at the special meeting under sub-regulation (2) of regulation 15 shall be brought before, or transacted at the meeting.

CHAPTER – IV

QUESTIONS

18. Questions : - (1) Unless the Presiding Officer otherwise directs, not more than sixty minutes at the first day or every meeting of the Council shall be available for the asking and answering of questions.

- (2) No question shall be asked at an adjourned or special meeting.
- (3) No member shall ask more than three questions at any such meeting, referred to in sub-regulation (1).

19. Period of Notice : - Unless the Chairperson otherwise directs, not less than seven clear days' notice of a question shall be given.

20. Form of Notice : - (1) Notice of a question shall be given in writing to the Secretary and shall specify -

- (i) the text of the question ;
 - (ii) the monthly meeting at which it is intended to ask the question ; and
 - (iii) the order of preference, if any, for its being placed on the list of question, where a member tables more than one notice of questions for the same meeting.
- (2) Where a notice is signed by more than one member, it shall be deemed to have been given by the first signatory only.
 - (3) If the order of preference, referred to in clause (iii) of sub-regulation (1) is not indicated, the question shall be placed in the list in the order in which notice thereof was received by the Secretary in point of time.

21. Rotation of Questions : - (1) Questions in the name of a member shall be entered in the list in three rounds or less according to the number of questions admitted in his name. All members who have questions in the list will have one question each entered in the first round and after completing the first question of all the members on the list their second and third questions, if any, will in the like order be placed in the second and third rounds respectively.

(2) The priority to be given to Members inter se for rotating their question shall be determined according to sitting arrangements fixed in the first meeting of the Council, and the priority so fixed shall continue to be rotated in that order for every subsequent ordinary meeting.

22. List of Questions :- The Secretary shall prepare a list of all admitted questions in the order indicated in regulation 21 and circulate the same along with written answers to every member, before the sitting of the meeting.

Provided that if answer to any question is not ready, the question shall stand for the next ordinary meeting for answer.

23. Answering of Questions : - (1) If a question placed on the list of question on any day is not called for answer within the time available for answering questions on that day, or if called for answer the member in whose name it stands is absent, a written answer to such question shall be deemed to have been given at the end of the question hour :

Provided that if a member, on being called by the Presiding Officer , states that it is not his intention to ask the question standing in his name, the question shall be treated as having been withdrawn and no written answer thereto shall be deemed to have been given.

(2) If there is no question hour owing to the cancellation of a sitting or its adjournment without transacting any business, the answers to questions included in the list of questions shall be deemed to have been given in the Council and form part of the proceedings of the Council.

Provided that if the question hour is interrupted after having taken up the list of question and the list is partly disposed of during the question hour and the sitting continue, answer to all the remaining questions in the list of questions shall be deemed to have been answered and form part of the proceedings of the Council.

24. Admissibility of Questions :- Subject to the provisions of sub-sections (2) and (3) of section 28 of the Act, the Chairperson shall also be guided by the following while admitting a question, namely :

- (i) It shall be clearly and precisely expressed and shall not be too general incapable of any specific answer or in the nature of a leading question.
- (ii) It shall not ordinary exceed 150 words.
- (iii) It shall not ask about proceedings in the Committee which have not been placed before the Council.
- (iv) It shall not reflect on the character or conduct of any person.

25. Chairperson to decide admissibility : - (1) The Chairperson shall decide whether a question, or a part thereof, is or is not admissible under the Act and these regulations and may disallow any question, or a part thereof, when in his opinion it is in contravention of the Act or of these regulations.

(2) If a question or a part thereof has been disallowed by the Chairperson, the Secretary shall inform in writing the member who has given the notice of the question indicating the reasons for disallowing it.

26. Mode of asking questions : - (1) When the time for asking questions arrives, the Presiding Officer shall call successively each member in whose name a question appears on the list of questions.

(2) The member so called shall, unless he states that it is not his intention to ask the question standing in his name, ask the question by reference to its number on the list of questions.

(3) If on a question being called it is not asked as the member in whose name it stands is absent, the Presiding Officer may, at the request of any other member, give or direct any of the officer present to give the answer.

27. Supplementary Questions : - (1) The member in whose name a question is listed, who shall have the first preference, or any other member, when called by the Presiding Officer, may ask a supplementary matter of fact regarding which an answer has been given orally :

Provided that not more than two supplementaries shall be allowed in respect of any question.

(2) A supplementary question shall be held out of order by the Presiding Officer if, in his opinion –

(i) it does not arise from the main question or its answer ;

(ii) instead of seeking information, it gives information ;

(iii) It involves more than one separate issues ;

(iv) It seeks confirmation or denial of an opinion ; and

(v) It infringes any of the provisions of the Act or of these regulations regarding questions.

(3) No discussion shall be permitted during the time for question in respect of any question or of any answer given to a question.

28. Lapse of pending questions referred to members : - Where a reference is made to a member in connection with the notice of a question and no reply is received or a reply received from him is too late for the consideration of the Chairperson and the placing of the question, if admitted, on the list of questions for the appropriate meeting, such notice shall be deemed to have lapsed.

29. Prohibition of advance publicity of answers : - Answers to questions which the Chairperson proposes to give in the Council shall not be released for publication until the answers have actually been given in the Council.

CHAPTER V

URGENT MATTERS

30. Procedure regarding raising urgent matters : - (1) A member may, with the permission of the Presiding Officer, raise any matter of urgent public importance relating to the municipal government of New Delhi or the administration of the Act :

Provided that not more than two such matters shall be raised for any subject in one sitting :

Provided further that the second matter shall not be raised by the same member who has raised the first matter.

- (2) The Chairperson may make a brief statement or ask for time to make a statement at a later hour or date.
- (3) There shall be no discussion on such statement at the time it is made.

CHAPTER VI

ASSURANCES

31. Implementation of Assurances :- In respect of any assurance, promise, undertaking, etc. given by the Chairperson in a meeting of the Council, a statement shall be laid, not later than three months of giving such assurance, promise, undertaking etc. on the table of the Council showing the manner of its implementation :

Provided that such statement shall also include all such assurances, promises, undertakings, etc., where it has not been possible to implement them.

CHAPTER VII

RESOLUTIONS

32. Notice of Resolution : - (1) A member (including the Chairperson) who wishes to move a resolution shall give notice to that effect to the Secretary so as to reach him at least forty-eight hours before the date fixed for the meeting. He shall also submit with the notice a copy of the resolution which he wishes to move :

Provided that the Chairperson may allow a shorter notice.

- (2) No member shall send notice of more than two resolutions for an ordinary meeting.

33. Form of resolution : - A resolution is a proposal for the purpose of discussing a matter, relating to the municipal government of New Delhi or the administration of the Act, of general public interest, in a meeting of the Council. It may be in the form of a recommendation or request an action ; or call attention to a matter or situation for consideration by the Council, or in such other form as the Chairperson may consider appropriate.

34. Admissibility of resolution : - In order that a resolution may be admissible, it shall satisfy the following conditions, namely :

- (i) it shall be clearly and precisely expressed ;
- (ii) it shall raise substantially one definite issue only ;
- (iii) it shall not contain arguments, inferences, ironical expressions, imputations or offensive or defamatory statement ;

- (iv) it shall not refer to the conduct or character of persons except in their official or public capacity ; and
- (v) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

35. Chairperson to decide the admissibility :- The Chairperson shall decide whether a resolution or a part thereof, is or is not admissible under the Act and these regulations and may disallow any resolution or a part thereof when in his opinion, it is an abuse of the right of moving a resolution or calculated to obstruct or prejudicially affect the proceedings of the Council or is in contravention of the Act and these regulations or he may amend it so as to bring it in conformity with these regulations.

36. Matters before tribunals, Commissions, etc. :- No resolution which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any Commission or court of enquiry appointed to enquire into, or investigate any matter shall be permitted to be moved.

37. Circulation of Resolution :- The Secretary shall, with all possible dispatch, take steps to circulate all the admitted resolutions to every member.

38. Moving of resolution :- (1) A member in whose name a resolution stands shall, except when he wishes to withdraw it, when called upon, move the resolution, and shall commence his speech by a formal motion in the terms appearing in the list of business.

(2) A member may, with the permission of the Presiding Officer authorize any other member, to move it on his behalf, and the member so authorized may move it accordingly.

39. Amendments :- After a resolution has been moved any member may, subject to the regulations 33, 34 and 36, move an amendment to the resolution.

40. Time limit for speeches :- No speech on a resolution shall, except with the permission of the Presiding Officer, exceed ten minutes in duration.

41. Scope of discussion :- The discussion on a resolution shall be strictly to and within the scope of the resolution.

42. Withdrawal of resolution and amendment :- (1) A member in whose name a resolution stands may, when called upon, withdraw the resolution, and shall confine himself to a mere statement to that effect.

(2) A member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the Council.

43. Repetition of Resolution :- When a resolution has been moved no resolution or amendment raising substantially the same question shall be moved within three months from the date of the moving of the earlier resolution.

44. Lapse etc. of Resolution :- (1) Any resolution appearing in the list of business for any month which does not come up for consideration at a meeting for which it is included in the list of business shall lapse.

- (2) Any resolution appearing in the list of business for any month which is not moved at the meeting for which it is included in the list of business shall be considered as dropped.

- (3) Nothing in sub-regulations (1) and (2) shall prevent any member from giving a fresh notice of the same resolution to the Secretary.

CHAPTER VIII

COMMITTEES

45. Chairperson of Committee :- (1) The Chairperson of the Council shall preside over a meeting of a Committee.

(2) If the Chairperson is for any reason unable to act or is absent from any sitting, the Committee shall choose another member to act as Chairperson for that sitting.

Provided that if the Vice-Chairperson is a member of the Committee, he shall preside over the meeting.

46. Quorum in Committee :- (1) Quorum of any meeting of the Committee shall be 3 members out of the total number of the members of the Committee ;

Provided that there shall be present at least two out of the five non-official members to constitute a quorum.

(2) If at any time fixed for any sitting of the Committee, or if at any time during any such sitting, there is no quorum the Chairperson of the Committee shall either suspend the sitting until there is a quorum or adjourn the sitting to some future day.

(3) When the Committee has been adjourned in pursuance of sub-regulation (2) on two successive times fixed for sittings of the Committee, the Chairperson shall report the fact to the Council.

47. Decision in Committee : - (1) All matters required to be decided at any sitting of a Committee shall be determined by a majority of votes of the members present and voting.

(2) In the case of any equality of votes on any matter, the Chairperson or the person acting as such, shall have a second or casting vote.

48. Sitting of Committee :- The sittings of a Committee shall be held on such days and at such hour as the Chairperson may fix :

Provided that the sittings shall be held, as far as possible, on working days.

49. Record of decisions :- A record of the decisions / recommendations of a Committee shall be maintained and circulated to members of the Committee under the direction of the Chairperson.

CHAPTER IX

GENERAL RULES OR PROCEDURE

50. Mode of giving notice : - Every notice required by the Act and these regulations shall be given in writing addressed to the Secretary and signed by the member giving notice and delivered at his office during working hours.

51. Circulation of notices and papers to members :- The Secretary shall make every effort to circulate to each member a copy of every notice or other paper which is required by these regulations to be made available for the use of members.

52. Prohibition of advance publicity of notices :- A notice shall not be given publicity by any member or other person until it has been discussed in the meeting of the Council.

Provided that a notice of a question shall not be given any publicity until the day on which the question is answered by the Chairperson.

53. Power of Chairperson to amend notices :- If in the opinion of the Chairperson, any notice contains words, phrases or expressions which are argumentative, unparliamentary, ironical, irrelevant, verbose, or otherwise inappropriate, he may, in his discretion, amend such notice before it is circulated.

54. Repetition of Resolution etc. – A resolution or any matter under regulation 30 shall not raise a question substantially identical with one on which the Council has considered or discussed during a period of three months.

55. Language to be used at meetings :- The business at a meeting of the Council or any Committee thereof shall be transacted in Hindi or English.

56. Modification of a resolution :- No resolution shall be modified or cancelled within three months of the passing thereof, except by a resolution passed by not less than two thirds of the total number of members of the Council.

57. Rules to be observed by members :- Whilst the Council is sitting, a member -

- (i) shall not read any book, newspaper or letter except in connection with the business in the Council ;
- (ii) shall not interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner ;
- (iii) shall bow to the Chair while entering or leaving the Council, and also when taking or leaving his seat ;
- (iv) shall always address the Chair ;
- (v) shall keep to his usual seat while addressing the Council ;
- (vi) shall not obstruct proceedings, his or interrupt and shall avoid making running commentaries when another member is speaking;
- (vii) shall not shout slogans in the meeting ;
- (viii) shall not tear off documents in protest in a meeting ;
- (ix) shall not bring or play cassette or tape recorder or use cellular phone.

58. Mode of addressing be meeting :- A member desiring to make any observations on any matter before the Council shall speak from his place and shall address the Presiding Officer.

59. Rules to be observed while speaking:- A member while speaking shall not -

- (i) refer to any matter of fact on which a judicial decision is pending;
- (ii) make personal reference by way of making an allegation imputing a motive to or questioning the bonafides of any other member or official of the Council;
- (iii) use offensive expressions about the conduct or proceedings of the Council;
- (iv) reflect on any decision of the Council except on a resolution for rescinding it;
- (v) utter treasonable, seditious or defamatory words;
- (vi) obstruct the business of the Council;
- (vii) refer to Council officials by name; and
- (viii) make any allocation of a defamatory or incriminatory nature against any person.
- (ix) The Presiding Officer presiding over a meeting of the Council or Committees may direct any member or persons/officers mentioned in sub section 8 of these regulation whose conduct is in his opinion grossly disorderly to withdraw immediately from the meeting, and any member or person so directed to withdraw shall do so forthwith and shall absent himself accordingly;

60. Order of speeches and right of reply: (1) After the member who moves a resolution has spoken, other members may speak in such order as the Presiding Officer may call them. If any member who is so called upon does not speak, he shall not be entitled, except with the permission of the Presiding Officer, to speak on the resolution at any later stage.

- (2) Except in the exercise of right of reply or as otherwise provided by these regulations, no member shall speak more than once on any resolution, except with the permission of the Presiding Officer.
- (3) A member who has moved a resolution may speak again by way of reply. Reply by him shall in all cases conclude the debate.

61. Language and manner of keeping proceedings:- (1) The proceedings of each meeting of the Council shall be tape-recorded and kept in the custody of the Secretary.

- (2) In the proceedings shall be entered the names of the members present at each meeting the decisions arrived at. The proceedings shall be prepared by the Secretary and signed by the presiding officer of that meeting. A copy of the proceedings shall be sent to each member by the Secretary.
- (3) At the time of the next meeting, when the confirmation of the minutes is sought, the proceeding shall be deemed to have read out at that meeting.

62. Custody of Papers:- The Secretary shall have custody of all records, documents and papers belonging to the Council or any of its Committee and he shall not permit such records, documents or papers to be taken out of the precincts of the office without the permission of the Chairperson.

63. Residuary powers:- All matters not specifically provided for in these regulations and all questions relating to the detailed working of these regulations shall be regulated in such manner as the Chairperson may, from time to time, direct.

64. Repeal and saving:- The bye-laws of the New Delhi Municipal Committee approved by the Chief Commissioner, Delhi, vide his notification No.F.3(64)41-LSG, dated the 6th August, 1941 is hereby repealed:

Provided that such repeal shall not effect:-

- (a) the previous operation of the said bye-laws or anything duly done or committed to be done; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the said bye-laws, as if the said bye-laws had not been repealed.

By Order,
SECRETARY (NDMC)

By Order,
Principal Secretary

ANNEXURE IV 4 PAGES

ANNEXURE IV ENDS

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

MINUTES OF THE COMMITTEE CONSTITUTED U/S 9 OF NDMC ACT 1994, FOR ADVISING THE COUNCIL ON FRAMING OF BYE-LAWS / REGULATIONS, HELD ON 31.01.2012 AT 3-00 P.M. AND AGAIN ON 03.02.2012 AT 12-00 NOON, IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.

PRESENT ON 31.01.2012 :

- | | | | |
|-----------|-------------------------|----------|--------------------|
| 1. | Ms. Archna Arora | - | Chairperson |
| 2. | Smt. Tajdar Babar | - | Vice Chairperson |
| 3. | Sh. Karan Singh Tanwar | - | Member |
| 4. | Sh. Ashok Ahuja | - | Member |
| 5. | Sh. Dharmendra, | - | Member |
| 6. | Smt. Rita Kumar | - | Member |
| 7. | Santosh Vaidya, Secy. | - | Co-opted Member |

PRESENT ON 03.02.2012 :

- | | | | |
|-----------|---------------------------|----------|--------------------|
| 1. | Ms. Archna Arora | - | Chairperson |
| 2. | Smt. Tajdar Babar | - | Vice Chairperson |
| 3. | Sh. Ashok Ahuja | - | Member |
| 4. | Smt. Rita Kumar | - | Member |
| 5. | Sh. Santosh Vaidya, Secy. | - | Co-opted Member |

ITEM NO.	SUBJECT	DECISION				
01	Amendment to the NDMC (Procedure and Conduct of Business) Regulations, 1997 subsequent to amendment in the NDMC Act, 1994.	<p>In the meeting held on 31.01.2012, the issue was broadly discussed and it was decided to provide a comparative statement of amendments proposed. On 03.02.2012, after waiting for the presence of other three members in the Committee, the meeting started at 12-15 P.M..</p> <p>After considering and discussing the proposals at length, the Committee unanimously resolved to approve the amendments to the NDMC (Procedure and Conduct of Business) Regulations, 1997 with the following additions/changes be made in the existing Regulations :-</p> <table><tr><td>38 (3) Newly added</td><td>After a resolution has been moved, it shall be seconded by another member of the Council.</td></tr><tr><td>38 (4) Newly added</td><td>A resolution not moved or not seconded after it is moved shall be considered as dropped.</td></tr></table>	38 (3) Newly added	After a resolution has been moved, it shall be seconded by another member of the Council.	38 (4) Newly added	A resolution not moved or not seconded after it is moved shall be considered as dropped.
38 (3) Newly added	After a resolution has been moved, it shall be seconded by another member of the Council.					
38 (4) Newly added	A resolution not moved or not seconded after it is moved shall be considered as dropped.					

		<table border="1"><tr><td>38 (5) Newly added</td><td>After a resolution has been moved and seconded, any member of the Council may move an amendment to the resolution and such amendment too shall be seconded by another member of the Council.</td></tr><tr><td>46 (1)</td><td><p>Quorum of any meeting of the Committee shall be 3 members out of the total number of the members of the Committee.</p><p>Provided that at least one of the members shall be from amongst the non-official members mentioned under clauses (b) and (d) of sub-section (1) of section 4 of the said Act.</p></td></tr></table>	38 (5) Newly added	After a resolution has been moved and seconded, any member of the Council may move an amendment to the resolution and such amendment too shall be seconded by another member of the Council.	46 (1)	<p>Quorum of any meeting of the Committee shall be 3 members out of the total number of the members of the Committee.</p> <p>Provided that at least one of the members shall be from amongst the non-official members mentioned under clauses (b) and (d) of sub-section (1) of section 4 of the said Act.</p>
38 (5) Newly added	After a resolution has been moved and seconded, any member of the Council may move an amendment to the resolution and such amendment too shall be seconded by another member of the Council.					
46 (1)	<p>Quorum of any meeting of the Committee shall be 3 members out of the total number of the members of the Committee.</p> <p>Provided that at least one of the members shall be from amongst the non-official members mentioned under clauses (b) and (d) of sub-section (1) of section 4 of the said Act.</p>					
		<p>The Committee further recommended that a report, after taking into consideration the above amendments, be placed before the Council, in its next meeting, for its approval.</p>				

Sd/-
(SANTOSH D. VAIDYA)
SECRETARY/CO-OPTED MEMBER

Sd/-
(ARCHNA ARORA)
CHAIRPERSON

ANNEXURE - VI**NEW DELHI MUNICIPAL COUNCIL
(DRAFT REGULATIONS AS FINALISED BY THE COMMITTEE)****PRELIMINARY**

1. Short title and commencement : - (1) These regulations may be called The New Delhi Municipal Council (Procedure and Conduct of Business) Regulations, 2012.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
2. Definitions: - (1) In these regulations, unless the context otherwise requires:-
 - (a) "Act" means the New Delhi Municipal Council Act, 1994 (Act No. 44 of 1994) read with New Delhi Municipal Council (Amendment) Act, 2011
 - (b) "Clear days" means days exclusive of the day of issue of a notice or intimation, and of the day of the meeting, but it includes Saturdays, Sundays and holidays ;
 - (c) "Committee" means a Committee constituted by the Council under sub-section (1) of section 9 ;
 - (cc) "Presiding Officer" means a member referred in section 25 of the Act and shall preside over the meeting of the council.
 - (d) "motion" means a proposal to evoke action on the part of the Council and includes an amendment of a motion ;
 - (e) "regulation" means a regulation of the New Delhi Municipal Council (Procedure and conduct of Business) Regulations, 2012 ;
 - (f) "resolution" means a proposal for the purpose of discussing a matter of general public interest relating to the municipal government of New Delhi in a meeting of the Council ;
 - (g) "Roll of Members" means a register in which new members sign after making and subscribing the oath or affirmation and before taking their seats for the first time in the Council ;
 - (h) "Secretary" means the Secretary of the Council appointed under section 33 of the Act, and includes any other person as is empowered to perform the functions of the Secretary ;
 - (i) "section" means a section of the Act ;
 - (j) "sitting" means the sitting together of the members of the Council on any day for the transaction of business from the commencement of such transaction till the Council rises for the day ;
- (2) Words and expressions used in the Act and not defined herein shall, unless the context otherwise requires, have the meanings assigned to them in the Act.

CHAPTER II

MEETINGS OF COUNCIL, SEATING, OATH OR AFFIRMATION AND ROLL OF MEMBERS

3. Meetings of Council : - (1) The Council shall ordinarily hold at least one meeting in every month for the transaction of business.

 (2) The date, time and place of the meeting of the Council shall be fixed by the Chairperson.

 (3) The date, time and place of the second meeting of the Council, if necessary, shall be decided by the Council at its first meeting of the month.
4. Secretary to intimate the date etc. of the meetings :- The Secretary shall, at least ten clear days before the date fixed for the first ordinary meeting of the month and at least three clear days before the date fixed for the second ordinary meeting of the month by the Council, send or cause to be sent to all the members intimation of the date, time and place of such meeting.
5. Chairperson may on his own motion and shall when requisitioned by members call special meeting -

 (1) The Chairperson may on his own motion call a special meeting of the Council on a date, time and place fixed by him.

 (2) The Chairperson and in his absence the Vice-Chairperson shall, upon a requisition in writing by not less than one fourth of the total number of members, convene a special meeting of the Council within two clear days from the date of the receipt of such requisition.

 (3) The Secretary shall at least one clear day before the date fixed for a special meeting send or cause to be sent to all the members intimation of the date, time and place of such special meeting.
6. Notice of the meeting on the Notice Board :- A notice stating the date, time and venue of every meeting of the Council shall be placed on the date of its issue on notice board at the office of the Council.
7. Service of the notice : - Every notice under these regulations shall, if practicable, be served personally by delivering or tendering it to the member to whom it is addressed or if such person is not found, by leaving it at his assigned office to be received by the staff attached or last known place of residence or by giving or tendering the notice to some adult member or servant of his family found at his usual place of residence or at his last known place of abode, and if none of the means is possible, then by causing the notice to be affixed on some conspicuous part of the building in which the member resides.
8. Persons to be present at the meeting :- The Secretary and such other municipal officers as may be authorized by the Chairperson shall be present, speak in, or otherwise take part in the proceedings of, any meeting of the Council or any of its Committees. They shall, however, have no right to vote at such a meeting.
9. Seating :- The members shall sit in such order as the Chairperson may determine.

10. Oath or affirmation :- A member who has not already made and subscribed an oath or affirmation, in pursuance of section 7 of the Act, may do so at the commencement of a sitting of the Council, or at any other time of the sitting of the Council, as the Chairperson may direct, on any day after giving previous notice in writing to the Secretary.
11. Roll of Members :- There shall be a Roll of Members of the Council which shall be signed in the presence of the Secretary by every member, before taking his seat.
12. Duly constituted sitting : - A sitting of the Council is duly constituted when it is presided over by the Presiding Officer over a sitting of the Council under the Act.

CHAPTER – III

LIST OF BUSINESS

13. List of Business : - A list of business (including a supplementary list) for the meeting shall be prepared by the Secretary under the directions of the Chairperson and a copy thereof shall be made available for the use of every member.
 - (2) Save as otherwise provided in these regulations, no business not included in the list of business for the meeting shall be brought before or transacted at any sitting without the permission of the Presiding Officer.
 - (3) Save as otherwise provided in these regulations, no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that business expires.

ARRANGEMENT OF BUSINESS

14. Arrangement of business :- (1) The list of business of an ordinary meeting shall, as far as possible, be arranged by the Secretary in the following order, namely :-
 - (a) Confirmation and signing at such meeting by the presiding officer thereof of the minutes of the last ordinary meeting or meetings or and of the minutes of any special meeting since the last ordinary meeting.
 - (b) Questions.
 - (c) Business from the Chairperson.
 - (d) Reports of Committees.
 - (e) Notice of resolutions given by the members under the provision to section 23.
- (2) The order of business shall not be varied unless the Presiding Officer is satisfied that there is sufficient ground for such variation.
15. Notice of business : - (1) A list of business to be transacted at every meeting except at an adjourned meeting shall be sent to the address of each member at least seventy two hours before the time fixed for such meeting.

- (2) In the case of the special meeting, the list of business to be transacted there, shall be sent at least twenty four hours before the time fixed for such meeting.
16. Supplementary list of business relating to certain urgent matters : - Notwithstanding anything contained in these regulations, the Secretary may prepare under the directions of the Chairperson a supplementary list of business with respect to any urgent matters proposed by the Chairperson and circulate that list to the members for consideration at the ensuing meeting whether ordinary or special or adjourned.
17. Business at Special Meetings :- (1) When a special meeting of the Council is to be convened under regulation 5, the Chairperson or the members requisitioning such a meeting, as the case may be, shall indicate to the Secretary the business to be transacted at such a meeting.
- (2) No business other than the business included in the list of business to be transacted at the special meeting under sub-regulation (2) of regulation 15 shall be brought before, or transacted at the meeting.

CHAPTER – IV

QUESTIONS

18. Questions : - (1) Unless the Presiding Officer otherwise directs, not more than sixty minutes at the first day or every meeting of the Council shall be available for the asking and answering of questions.
- (2) No question shall be asked at an adjourned or special meeting.
- (3) No member shall ask more than three questions at any such meeting, referred to in sub-regulation (1).
19. Period of Notice : - Unless the Chairperson otherwise directs, not less than seven clear days' notice of a question shall be given.
20. Form of Notice : - (1) Notice of a question shall be given in writing to the Secretary and shall specify -
- (i) the text of the question ;
 - (ii) the monthly meeting at which it is intended to ask the question ; and
 - (iii) the order of preference, if any, for its being placed on the list of question, where a member tables more than one notice of questions for the same meeting.
- (2) Where a notice is signed by more than one member, it shall be deemed to have been given by the first signatory only.
- (3) If the order of preference, referred to in clause (iii) of sub-regulation (1) is not indicated, the question shall be placed in the list in the order in which notice thereof was received by the Secretary in point of time.

21. Rotation of Questions : - (1) Questions in the name of a member shall be entered in the list in three rounds or less according to the number of questions admitted in his name. All members who have questions in the list will have one question each entered in the first round and after completing the first question of all the members on the list their second and third questions, if any, will in the like order be placed in the second and third rounds respectively.

(2) The priority to be given to Members inter se for rotating their question shall be determined according to sitting arrangements fixed in the first meeting of the Council, and the priority so fixed shall continue to be rotated in that order for every subsequent ordinary meeting.

22. List of Questions :- The Secretary shall prepare a list of all admitted questions in the order indicated in regulation 21 and circulate the same along with written answers to every member, before the sitting of the meeting.

Provided that if answer to any question is not ready, the question shall stand for the next ordinary meeting for answer.

23. Answering of Questions : - (1) If a question placed on the list of question on any day is not called for answer within the time available for answering questions on that day, or if called for answer the member in whose name it stands is absent, a written answer to such question shall be deemed to have been given at the end of the question hour :

Provided that if a member, on being called by the Presiding Officer , states that it is not his intention to ask the question standing in his name, the question shall be treated as having been withdrawn and no written answer thereto shall be deemed to have been given.

(2) If there is no question hour owing to the cancellation of a sitting or its adjournment without transacting any business, the answers to questions included in the list of questions shall be deemed to have been given in the Council and form part of the proceedings of the Council.

Provided that if the question hour is interrupted after having taken up the list of question and the list is partly disposed of during the question hour and the sitting continue, answer to all the remaining questions in the list of questions shall be deemed to have been answered and form part of the proceedings of the Council.

24. Admissibility of Questions :- Subject to the provisions of sub-sections (2) and (3) of section 28 of the Act, the Chairperson shall also be guided by the following while admitting a question, namely :

- (i) It shall be clearly and precisely expressed and shall not be too general incapable of any specific answer or in the nature of a leading question.
- (ii) It shall not ordinary exceed 150 words.
- (iii) It shall not ask about proceedings in the Committee which have not been placed before the Council.
- (iv) It shall not reflect on the character or conduct of any person.

25. Chairperson to decide admissibility : - (1) The Chairperson shall decide whether a question, or a part thereof, is or is not admissible under the Act and these regulations and may disallow any question, or a part thereof, when in his opinion it is in contravention of the Act or of these regulations.

(2) If a question or a part thereof has been disallowed by the Chairperson, the Secretary shall inform in writing the member who has given the notice of the question indicating the reasons for disallowing it.

26. Mode of asking questions : - (1) When the time for asking questions arrives, the Presiding Officer shall call successively each member in whose name a question appears on the list of questions.

(2) The member so called shall, unless he states that it is not his intention to ask the question standing in his name, ask the question by reference to its number on the list of questions.

(3) If on a question being called it is not asked as the member in whose name it stands is absent, the Presiding Officer may, at the request of any other member, give or direct any of the officer present to give the answer.

27. Supplementary Questions : - (1) The member in whose name a question is listed, who shall have the first preference, or any other member, when called by the Presiding Officer, may ask a supplementary matter of fact regarding which an answer has been given orally :

Provided that not more than two supplementaries shall be allowed in respect of any question.

(2) A supplementary question shall be held out of order by the Presiding Officer if, in his opinion –

(i) it does not arise from the main question or its answer ;

(ii) instead of seeking information, it gives information ;

(iii) It involves more than one separate issues ;

(iv) It seeks confirmation or denial of an opinion ; and

(v) It infringes any of the provisions of the Act or of these regulations regarding questions.

(3) No discussion shall be permitted during the time for question in respect of any question or of any answer given to a question.

28. Lapse of pending questions referred to members : - Where a reference is made to a member in connection with the notice of a question and no reply is received or a reply received from him is too late for the consideration of the Chairperson and the placing of the question, if admitted, on the list of questions for the appropriate meeting, such notice shall be deemed to have lapsed.

29. Prohibition of advance publicity of answers : - Answers to questions which the Chairperson proposes to give in the Council shall not be released for publication until the answers have actually been given in the Council.

CHAPTER V

URGENT MATTERS

30. Procedure regarding raising urgent matters : - (1) A member may, with the permission of the Presiding Officer, raise any matter of urgent public importance relating to the municipal government of New Delhi or the administration of the Act :

Provided that not more than two such matters shall be raised for any subject in one sitting :

Provided further that the second matter shall not be raised by the same member who has raised the first matter.

- (2) The Chairperson may make a brief statement or ask for time to make a statement at a later hour or date.
- (3) There shall be no discussion on such statement at the time it is made.

CHAPTER VI

ASSURANCES

31. Implementation of Assurances :- In respect of any assurance, promise, undertaking, etc. given by the Chairperson in a meeting of the Council, a statement shall be laid, not later than three months of giving such assurance, promise, undertaking etc. on the table of the Council showing the manner of its implementation :

Provided that such statement shall also include all such assurances, promises, undertakings, etc., where it has not been possible to implement them.

CHAPTER VII

RESOLUTIONS

32. Notice of Resolution : - (1) A member (including the Chairperson) who wishes to move a resolution shall give notice to that effect to the Secretary so as to reach him at least forty-eight hours before the date fixed for the meeting. He shall also submit with the notice a copy of the resolution which he wishes to move :

Provided that the Chairperson may allow a shorter notice.

- (2) No member shall send notice of more than two resolutions for an ordinary meeting.

33. Form of resolution : - A resolution is a proposal for the purpose of discussing a matter, relating to the municipal government of New Delhi or the administration of the Act, of general public interest, in a meeting of the Council. It may be in the form of a recommendation or request an action ; or call attention to a matter or situation for consideration by the Council, or in such other form as the Chairperson may consider appropriate.

34. Admissibility of resolution : - In order that a resolution may be admissible, it shall satisfy the following conditions, namely :

- (i) it shall be clearly and precisely expressed ;
- (ii) it shall raise substantially one definite issue only ;
- (iii) it shall not contain arguments, inferences, ironical expressions, imputations or offensive or defamatory statement ;
- (iv) it shall not refer to the conduct or character of persons except in their official or public capacity ; and

- (v) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

35. Chairperson to decide the admissibility :- The Chairperson shall decide whether a resolution or a part thereof, is or is not admissible under the Act and these regulations and may disallow any resolution or a part thereof when in his opinion, it is an abuse of the right of moving a resolution or calculated to obstruct or prejudicially affect the proceedings of the Council or is in contravention of the Act and these regulations or he may amend it so as to bring it in conformity with these regulations.

36. Matters before tribunals, Commissions, etc. :- No resolution which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any Commission or court of enquiry appointed to enquire into, or investigate any matter shall be permitted to be moved.

37. Circulation of Resolution :- The Secretary shall, with all possible dispatch, take steps to circulate all the admitted resolutions to every member.

38. Moving of resolution :- (1) A member in whose name a resolution stands shall, except when he wishes to withdraw it, when called upon, move the resolution, and shall commence his speech by a formal motion in the terms appearing in the list of business.

(2) A member may, with the permission of the Presiding Officer authorize any other member, to move it on his behalf, and the member so authorized may move it accordingly.

(3) After a resolution has been moved, it shall be seconded by another member of the Council

(4) A resolution not moved or not seconded after it is moved shall be considered as dropped.

(5) After a resolution has been moved and seconded, any member of the Council may move an amendment to the resolution and such amendment too shall be seconded by another member of the Council.

39. Amendments :- After a resolution has been moved any member may, subject to the regulations 33, 34 and 36, move an amendment to the resolution.

40. Time limit for speeches :- No speech on a resolution shall, except with the permission of the Presiding Officer, exceed ten minutes in duration.

41. Scope of discussion :- The discussion on a resolution shall be strictly to and within the scope of the resolution.

42. Withdrawal of resolution and amendment :- (1) A member in whose name a resolution stands may, when called upon, withdraw the resolution, and shall confine himself to a mere statement to that effect.

(2) A member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the Council.

43. Repetition of Resolution :- When a resolution has been moved no resolution or amendment raising substantially the same question shall be moved within three months from the date of the moving of the earlier resolution.

44. Lapse etc. of Resolution :- (1) Any resolution appearing in the list of business for any month which does not come up for consideration at a meeting for which it is included in the list of business shall lapse.

- (2) Any resolution appearing in the list of business for any month which is not moved at the meeting for which it is included in the list of business shall be considered as dropped.
- (3) Nothing in sub-regulations (1) and (2) shall prevent any member from giving a fresh notice of the same resolution to the Secretary.

CHAPTER VIII

COMMITTEES

45. Chairperson of Committee :- (1) The Chairperson of the Council shall preside over a meeting of a Committee.

(2) If the Chairperson is for any reason unable to act or is absent from any sitting, the Committee shall choose another member to act as Chairperson for that sitting.

Provided that if the Vice-Chairperson is a member of the Committee, he shall preside over the meeting.

46. Quorum in Committee :- (1) Quorum of any meeting of the Committee shall be 3 members out of the total number of the members of the Committee :

Provided that at least one of the members shall be from amongst the non-official members mentioned under clause (b) and (d) of sub-section (1) of section 4 of the said Act.

- (2) If at any time fixed for any sitting of the Committee, or if at any time during any such sitting, there is no quorum the Chairperson of the Committee shall either suspend the sitting until there is a quorum or adjourn the sitting to some future day.
- (3) When the Committee has been adjourned in pursuance of sub-regulation (2) on two successive times fixed for sittings of the Committee, the Chairperson shall report the fact to the Council.

47. Decision in Committee : - (1) All matters required to be decided at any sitting of a Committee shall be determined by a majority of votes of the members present and voting.

- (2) In the case of any equality of votes on any matter, the Chairperson or the person acting as such, shall have a second or casting vote.

48. Sitting of Committee :- The sittings of a Committee shall be held on such days and at such hour as the Chairperson may fix :

Provided that the sittings shall be held, as far as possible, on working days.

49. Record of decisions :- A record of the decisions / recommendations of a Committee shall be maintained and circulated to members of the Committee under the direction of the Chairperson.

CHAPTER IX

GENERAL RULES OR PROCEDURE

50. Mode of giving notice : - Every notice required by the Act and these regulations shall be given in writing addressed to the Secretary and signed by the member giving notice and delivered at his office during working hours.

51. Circulation of notices and papers to members :- The Secretary shall make every effort to circulate to each member a copy of every notice or other paper which is required by these regulations to be made available for the use of members.

52. Prohibition of advance publicity of notices :- A notice shall not be given publicity by any member or other person until it has been discussed in the meeting of the Council.

Provided that a notice of a question shall not be given any publicity until the day on which the question is answered by the Chairperson.

53. Power of Chairperson to amend notices :- If in the opinion of the Chairperson, any notice contains words, phrases or expressions which are argumentative, un-parliamentary, ironical, irrelevant, verbose, or otherwise inappropriate, he may, in his discretion, amend such notice before it is circulated.

54. Repetition of Resolution etc. – A resolution or any matter under regulation 30 shall not raise a question substantially identical with one on which the Council has considered or discussed during a period of three months.

55. Language to be used at meetings :- The business at a meeting of the Council or any Committee thereof shall be transacted in Hindi or English.

56. Modification of a resolution :- No resolution shall be modified or cancelled within three months of the passing thereof, except by a resolution passed by not less than two thirds of the total number of members of the Council.

57. Rules to be observed by members :- Whilst the Council is sitting, a member -

- (i) shall not read any book, newspaper or letter except in connection with the business in the Council ;
- (ii) shall not interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner ;
- (iii) shall bow to the Chair while entering or leaving the Council, and also when taking or leaving his seat ;
- (iv) shall always address the Chair ;
- (v) shall keep to his usual seat while addressing the Council ;
- (vi) shall not obstruct proceedings, his or interrupt and shall avoid making running commentaries when another member is speaking;

- (vii) shall not shout slogans in the meeting ;
- (viii) shall not tear off documents in protest in a meeting ;
- (ix) shall not bring or play cassette or tape recorder or use cellular phone.

58. Mode of addressing be meeting :- A member desiring to make any observations on any matter before the Council shall speak from his place and shall address the Presiding Officer.

59. Rules to be observed while speaking:- A member while speaking shall not -

- (i) refer to any matter of fact on which a judicial decision is pending;
- (ii) make personal reference by way of making an allegation imputing a motive to or questioning the bonafides of any other member or official of the Council;
- (iii) use offensive expressions about the conduct or proceedings of the Council;
- (iv) reflect on any decision of the Council except on a resolution for rescinding it;
- (v) utter treasonable, seditious or defamatory words;
- (vi) obstruct the business of the Council;
- (vii) refer to Council officials by name; and
- (viii) make any allocation of a defamatory or incriminatory nature against any person.

(ix) The Presiding Officer presiding over a meeting of the Council or Committees may direct any member or persons/officers mentioned in sub section 8 of these regulation whose conduct is in his opinion grossly disorderly to withdraw immediately from the meeting, and any member or person so directed to withdraw shall do so forthwith and shall absent himself accordingly;

60. Order of speeches and right of reply: (1) After the member who moves a resolution has spoken, other members may speak in such order as the Presiding Officer may call them. If any member who is so called upon does not speak, he shall not be entitled, except with the permission of the Presiding Officer, to speak on the resolution at any later stage.

- (2) Except in the exercise of right of reply or as otherwise provided by these regulations, no member shall speak more than once on any resolution, except with the permission of the Presiding Officer.
- (3) A member who has moved a resolution may speak again by way of reply. Reply by him shall in all cases conclude the debate.

61. Language and manner of keeping proceedings:- (1) The proceedings of each meeting of the Council shall be tape-recorded and kept in the custody of the Secretary.

- (2) In the proceedings shall be entered the names of the members present at each meeting the decisions arrived at. The proceedings shall be prepared by the Secretary and signed by the presiding officer of that meeting. A copy of the proceedings shall be sent to each member by the Secretary.

- (3) At the time of the next meeting, when the confirmation of the minutes is sought, the proceeding shall be deemed to have read out at that meeting.

62. Custody of Papers:- The Secretary shall have custody of all records, documents and papers belonging to the Council or any of its Committee and he shall not permit such records, documents or papers to be taken out of the precincts of the office without the permission of the Chairperson.

63. Residuary powers:- All matters not specifically provided for in these regulations and all questions relating to the detailed working of these regulations shall be regulated in such manner as the Chairperson may, from time to time, direct.

64. Repeal and saving:- The bye-laws of the New Delhi Municipal Committee approved by the Chief Commissioner, Delhi, vide his notification No.F.3(64)41-LSG, dated the 6th August, 1941 is hereby repealed:

Provided that such repeal shall not effect:-

- (a) the previous operation of the said bye-laws or anything duly done or committed to be done; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the said bye-laws, as if the said bye-laws had not been repealed.

By Order,
SECRETARY (NDMC)

By Order,
Principal Secretary

ITEM NO. 15 (A-26)**1. NAME OF THE PROJECT:**

Construction of additional block in Palika Maternity Hospital and addition/alteration of the existing building at Lodhi Colony.

2. NAME OF THE DEPARTMENT:

Civil Engineering Department (Zone-II)

3. BRIEF HISTORY OF THE PROJECT:

Presently Palika Maternity Hospital is functioning at the place mentioned above, which is approximately 26 years old. The existing hospital besides being in repairable state is also not able to meet the functional requirements as intimated by concerned user. Accordingly, it is proposed to be rennovate with some addition/ alterations to meet the functional and medical requirements as required by concerned authorities and Quality Council of India. Besides this, an additional block is also to be constructed, after demolition of the existing service centre and flat (one Type V) to provide more facility, keeping in view the increasing demand in this area and in compliance of Quality Council of India instructions. In this connection, a request from Coordinator (Med./PH) for the above stated work was received. Accordingly, based on requests preliminary drawings were issued by the Architect Department for the construction of additional block including addition/alteration in the existing building. Simultaneously, a request was received to keep provisions for rain water harvesting and an effluent treatment plant. Based on the drawings issued and requirement of concerned authorities and QCI a preliminary estimate for Rs.9,90,79,000/- was prepared for the entire work and A/A & E/S of the same was sanctioned by the council vide Reso. No. 06 (A-13) dt. 24.8.2011 (copy enclosed for ready reference please).

After following the codal formalities, the composite tender excluding Effluent Treatment Plant and procurement of Air-Conditioners was invited through e-procurement system. Action for Effluent Treatment Plant is being taken separately. Five tenders were received and the technical comparative statement was prepared. On scrutiny, it was observed that the agencies have not submitted all the supporting and required documents, for which, a meeting of standing technical evaluation sub-committee was convened on 16.01.2012, wherein, it was decided that the remaining supporting documents/additional documents as per NIT conditions may be obtained from the agencies, if they wish to submit the same. The agencies turned up and submitted the required documents. Thereafter the tenders were again placed before the standing technical evaluation sub-committee on 30.01.2012. The sub-committee examined the entire documents required as per NIT and after detailed

discussions and deliberation, it was decided that as per approved NIT conditions, all the five firms are fulfilling the eligibility criteria, hence their financial bid may be opened. Accordingly financial bids were opened after obtaining approval of the competent authority. Out of the five bids M/s. Vir Bhan Mittal with a quoted rate of 9.26% above estimated cost has been found to be lowest tenderer.

5 DETAILED PROPOSAL OF THE PROJECT:

The composite tenders were invited through e-procurement system and five agencies, namely M/s. Vir Bhan Mittal, M/s. Devi Construction Co., M/s. Sat Pal Sharma & Sons, M/s. India Guniting Corporation & M/s. Bipin Kumar participated in the bid and found eligible. Accordingly, the financial bid was opened and their comparative statement is as under:-

Estimated Cost: Rs.4,30,76,334/-

S. NO.	Name of Contractor	Amount Quoted (in Rs.)	% below/above of estimated cost
1.	M/s Vir Bhan Mittal	4,70,64,400.00	9.26% above
2.	M/s Devi Construction Company	4,81,50,242.46	11.78% above
3.	M/s. Sat Pal Sharma & Sons	5,06,51,994.00	17.59% above
4.	M/s. India Guniting Corporation	5,18,75,063.50	20.43% above
5.	M/s. Bipin Kumar	5,37,39,684.50	24.75% above

From the above comparative statement, it is evident that M/s Vir Bhan Mittal is 1st lowest at his quoted rate of Rs.4,70,64,400.00 which is 9.26% above the estimated cost. The justification statement prepared by division and checked by Planning works out to 18.95% above the estimated cost. The lowest quoted rate works out to 8.15% below the justified rate.

5. FINANCIAL IMPLICATIONS OF THE PROJECT:

Total financial implication of the project is Rs. 4,70,64,400.00/-.

6. IMPLEMENTATION SCHEDULE WITH TIME LIMIT

One year from the Award of work.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT.

Finance Department has no objection for placing the tender before the Council vide their diary no. FA-281 dated 06.02.2012 with the tender amounting to Rs.4,70,64,400.00, which is 9.26% above the estimated cost of Rs.4,30,76,334.00 against justification checked by

planning 18.95% above the estimated cost to be complied with that (i) the reasons for difference between A/A & E/S and estimated cost put to tender as the estimate amounting to Rs.9,90,79,000/- was got approved from council, stating it as a composite work while the tenders have been invited at an estimated cost of Rs.4,30,76,334/- (ii) certification that detailed scope of work & specification have not been changed from the DPR, the originally sanctioned estimate A/A & E/S. if there is any change the detailed justification and reasons for the same (iii) justification has been prepared having regard to the provisions of CPWD Works Manual including OM dated 08.06.2009 of CPWD and the rates taken are the lowest market rates. (iv) all the bidders whose financial bids have been opened fulfill the eligibility criteria as stipulated in the NIT (v) publicity has been given to the tender as per codal provisions and as well as approved policy of NDMC and all the relevant cuttings of newspapers may be placed in support in file for record (vi) rates are reasonable w.r.t. market rates & are in closed proximity of rates of similar nature of work.

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

The required details are already placed with the proposal in the file. However, as advised by the Finance Department, it is ensured that (i) at the time of preparation and approval of preliminary estimate (Rs.9,90,79,000/-) the provision of effluent treatment plant (Rs.44.30 lacs) air-conditioner with other allied items (Rs.1.80 crore), fire fighting (Rs.20.34 lacs) and horticulture (Rs.1.11 Lacs), was considered in the proposal and the proposal was prepared including 49% cost index. But this tender is excluding the provision of effluent treatment plant, procurement of air-conditioners, fire fighting and horticulture (Approximately cost Rs.103 lakhs) for which separate proposals are being processed by the respective departments. (ii) the detailed scope of work and specifications have been taken now in accordance to the provision of the drawings issued by the Architect Department whereas earlier at the time of preliminary estimate the estimate was prepared and got approved on the basis of plinth area rates (iii) the justification for electrical work have been prepared by concerned electrical division checked by their planning and concurred by the electrical department and the justification for civil work has been prepared and checked by the Planning having the regard to the provision of CPWD Works Manual including OM Dated 08.06.2009 of CPWD and the rates taken are the lowest market rates. (iv) all the bidders whose financial bids have been opened fulfill the eligibility criteria as stipulated in the NIT. (v) wide publicity has been given the tender as per codal provisions and as well as approved policy of NDMC and the relevant cutting of newspaper has also been placed in support in file at Page 49 to 51/C for reference please (vi) rates are considered reasonable w.r.t. prevailing market rates & are in closed proximity of rates of similar nature of work.

9. LEGAL IMPLICATION OF THE PROJECT/SUBJECT:

NIL

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

The administrative approval & expenditure sanction to the Preliminary Estimate amounting to Rs.9,90,79,000/- is accorded by the Council vide Reso. No. 06 (A-13) dt. 24.8.2011.

17. COMMENTS OF THE LAW DEPARTMENT ON THIS PROJECT:

NIL

18. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF LAW DEPARTMENT:

NIL

13. CERTIFY THAT ALL CENTRAL VIGILANCE COMMISSION (CVC) GUIDELINES HAVE BEEN FOLLOWED WHILE PROCESSING THE CASE.

Certified that all central vigilance commission (CVC) guidelines have been followed while processing the case.

14. RECOMMENDATIONS:

The case is placed before the Council for accord of approval of the following:

1. Acceptance of lowest tender of M/s Vir Bhan Mittal at his quoted rate of Rs.4,70,64,700/- which is 9.26% above the estimated cost of Rs.4,30,76,334/- and is 8.15% below the justified cost of Rs.5,12,39,299/-.
2. To accord permission to take necessary further action in anticipation of confirmation of minutes.

15. DRAFT RESOLUTION:

Resolved by the Council that the lowest tender of M/s Vir Bhan Mittal is accepted at his quoted rate of Rs.4,70,64,700/- which is 9.26% above the estimated cost of Rs.4,30,76,334/- and 8.15% below the justified cost of Rs.5,12,39,299/- for the work of Construction of

additional block in Palika Maternity Hospital and addition/alteration of the existing building at Lodhi Colony and the permission is granted for taking further necessary action in anticipation of confirmation of the minutes of the council.

COUNCIL DECISION

Resolved by the Council that the lowest tender of M/s Vir Bhan Mittal is accepted at its quoted rate of Rs.4,70,64,700/- which is 9.26% above the estimated cost of Rs.4,30,76,334/- and 8.15% below the justified cost of Rs.5,12,39,299/- for the work of Construction of additional block in Palika Maternity Hospital and addition/alteration of the existing building at Lodhi Colony.

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. 16 (C-27)**CONTRACTS/SCHEMES INVOLVING AN EXPENDITURE OF RS. 1 LAC BUT NOT EXCEEDING RS. 100 LACS.**

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

A list of the contracts, entered into for the various schemes, is accordingly laid before the Council for information. **(See pages 175 - 183).**

COUNCIL'S DECISION

Information noted.

ITEM NO. 17 (C-28)**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 October, 2011, had already been included in the Agenda for the Council Meeting held on 23.12.2011.

A report on the status of execution of the ongoing schemes/works awarded upto December, 2011, is placed before the Council for information. **(See pages 185 – 237).**

COUNCIL'S DECISION

Information noted.

(SANTOSH D. VAIDYA)
SECRETARY

(ARCHNA ARORA)
CHAIRPERSON