

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI.

COUNCIL'S MEETING NO. 04/2010-11 DATED 21.07.2010 AT 3-00 P.M.

Arrangement of business

ITEM NO.	SUBJECT	PAGE	ANNEXURE
01 (C-10)	Confirmation and signing of the minutes of the Council's Meeting No. 03/2010-11 held on 16.06.2010.	3	4 – 13
02 (A-15)	Payment of minimum wages as per Clause 10(C) of the contract agreement to the construction agencies working in NDMC projects.	14 – 16	17 – 22
03 (B-12)	Purchase of 11KV,HT(XLPE) Cable of size 300 sq. mm/3Cores, duly ISI marked.	23 – 25	26
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05 (M-01)	Mid-day meal Scheme	29 – 33	
06 (O-01)	Audit Comments on Monthly Accounts converted to Double entry on accrual basis for the months April 2008 to September 2008 and Financial Statements for the first two quarters ended 30.06.2008 and 30.09.2008 of the year 2008-09.	34 – 36	Separate Booklet Enclosed
07 (O-02)	Audit Comments on Monthly accounts for the months of April, 2008 to September, 2008.	37 – 39	Separate Booklet Enclosed
08 (M-02)	Uniform Subsidy to the students of NDMC schools & NDMC's Aided schools as per policy prevailing in Directorate of Education, GNCT Delhi with respect to revision in the rates @ Rs.700 for the student of classes VI to XII and @ Rs.500 to the student of classes Nursery to V for the Academic year 2010-11.	40 – 42	43 – 44
09 (D-02)	Re-appropriation of Funds in Budget Estimates 2010-11.	45 – 46	47 – 60
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ITEM NO. 01 (C- 10)

Confirmation and signing of the minutes of the Council's Meeting No. 03/2010-11 held on 16.06.2010 (**See pages 4 - 13**).

COUNCIL'S DECISION

Minutes confirmed.

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI

MINUTES OF THE COUNCIL'S MEETING NO. 03/2010-11 HELD ON 16.06.2010
AT 3-00 P.M. IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.

MEETING NO.	:	03/2010-11
DATE	:	16.06.2010
TIME	:	3-00 P.M.
PLACE	:	PALIKA KENDRA, NEW DELHI.

PRESENT :

- | | | | |
|-----------|------------------------|----------|--------------------|
| 1. | Sh. Parimal Rai | - | Chairperson |
| 2. | Smt. Tajdar Babar | - | Vice Chairperson |
| 3. | Sh. Karan Singh Tanwar | - | Member |
| 4. | Sh. Dharmendra | - | Member |
| 5. | Sh. Mukesh Bhatt | - | Member |
| 6. | Sh. S.K. Singh | - | Member |
| 7. | Sh. Gyanesh Bharti | - | Secretary, NDMC |

Sh. S.K. Singh, L&DO, M/o Urban Development, Govt. of India, has taken oath of office as Member of the Council. The oath was administered by the Chairperson, NDMC, in the presence of the above mentioned Council Members.

ITEM NO.	SUBJECT	DECISION
01 (C- 07)	Confirmation and signing of the minutes of the Council's Meeting No. 02/2010-11 held on 19.05.2010.	Minutes confirmed.
02 (A-13)	S/R of Roads in NDMC Area. SH: Resurfacing of lanes/bylanes in R-IV Division of Chanakyapuri.	Resolved by the Council to accord administrative approval and expenditure sanction amounting to Rs.6,33,63,800/- for the work of "Resurfacing of lanes/bylanes in R-IV Division of Chanakyapuri". It was also resolved that further action may be taken by the Department in anticipation of confirmation of the Minutes by the Council.
03 (N-01)	Annual Estimate for the work "Maintenance of Parks & Gardens" for the year 2010-11.	Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.2.75 Crores for the work of Maintenance of Parks & Gardens during 2010-11. It was also resolved that further action may be taken by the Department in anticipation of confirmation of the Minutes by the Council.

04 (N-02)	Annual Estimate for the work "Maintenance of Colony Parks for the year 2010-11.	<p>Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.2.00 Crores for the work of Maintenance of CPWD Colony Parks during 2010-11.</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>
05 (U-01)	Annual Estimate for the work Security and Traffic Services / Arrangements at NDMC Premises under Group Contract 'A', 'B', 'C', 'D', 'E', 'F', 'G' &'H' and other related works of Security Department.	<p>Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.10,48,02,758/- for the work of Security and Traffic Services / Arrangements at NDMC premises under Group A to H contract and other items for the year 2010-11.</p> <p>It was also resolved by the Council that the CVO, NDMC shall examine the possibility of getting the security personnel on deputation from BSF, CRPF etc. as well as recruitment of our own personnel. A report in this regard will be put up to the Chairperson at the earliest.</p>
06 (U-02)	Security and Traffic Services / Arrangements at Palika Parking and other NDMC Premises under Group Contract 'C'.	<p>Resolved by the Council as follows:-</p> <ul style="list-style-type: none"> (i) Present tender be rejected. (ii) Fresh tenders be invited. (iii) A Sub-Committee comprising of Sh. Karan Singh Tanwar, MLA & Member, NDMC, Director (Finance) and Chief Security Officer will study the NIT and suggest suitable clauses to regulate the tendering in such a manner that only genuine and trustworthy firms participate in the tender. This sub-committee shall give its report within 15 days. (iv) It was further decided by the Council that the existing contracts may be extended till finalization of this case.
07 (U-03)	Security and Traffic Services / Arrangements at NDMC premises under Group Contract 'D'.	<p>Resolved by the Council as follows:-</p> <ul style="list-style-type: none"> (i) Present tender be rejected. (ii) Fresh tenders be invited. (iii) A Sub-Committee comprising of Sh. Karan Singh Tanwar, MLA & Member, NDMC, Director (Finance) and Chief Security Officer will study the NIT and suggest suitable clauses to regulate the tendering in such a manner that only genuine and trustworthy firms participate in the tender. This sub-committee shall give its report within 15 days.

		(iv) It was further decided by the Council that the existing contracts may be extended till finalization of this case.
08 (L-03)	Policy regarding relocation of municipal units effected due to various projects/works.	The Council directed the department to scrutinize the legal aspects of the case w.r.t. pending Court case(s), if any, and resubmit the agenda with legal opinion for consideration of the Council in its next meeting.
09 (L-04)	Renovation of existing kiosks and pan tharas in NDMC area.	Information noted. It was further directed by the Council that all the existing kiosks and tharas be included for renovation, except tharas on Tehbazari basis.
10 (E-02)	Payment of Dumping Charges to MCD for disposal of garbage at SLF Gazipur.	Resolved by the Council to accord approval that pending verification of the bills received from the MCD, a provisional payment of Rs.3 crores be made to the MCD and the balance amount as calculated and agreed to between NDMC and the MCD, shall be paid after making necessary provision in the Revised Budget Estimate of 2010-2011. Further resolved by the Council to approve that since it is a recurring expenditure for the disposal of the waste generated in NDMC area and no tender is invited as also no contract entered into, payment may be made to the MCD, (which is a sister local body), from year to year after due verification of the bills on the same pattern of payment, as being made by NDMC to the respective authorities for the purchase of electricity / water, without bringing the item, every year before the Council,.
11 (D-01)	Enhancement in the capping limit on deposit of funds with Banks empanelled by NDMC.	Resolved by the Council to approve the proposal of enhancement of normative cap for deposit of funds with the empanelled banks keeping other parameters same, as earlier approved by the Council vide its Resolution No. 2 (D-10) dated 26.08.2005. It was further resolved by the Council that in future, the Chairperson is authorized to revise the normative cap.
12 (B-07)	Re-arrangement and new proposed HT feeds for various 11 KV Electric Substations from proposed 33 KV Electric Substation Raja Bazar, New Delhi.	Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.2,46,03,000/- for Re-arrangement and new proposed HT feeds for various 11 KV Electric Substations from proposed 33 KV Electric Substation Raja Bazar, New Delhi. It was also resolved that further action may be taken by the Department in anticipation of confirmation of the Minutes by the Council.

13 (B-08)	Estimate for the purchase of 02 Nos. 16/20 MVA, 33/11 KV power transformers.	Deferred with the direction that the department will resubmit the case in the next meeting of the Council with more background details including copies of earlier resolutions passed by the Council on this matter.
14 (B-09)	Replacement of oil filled transformers with Dry Type Transformers in North of Rajpath & South of Rajpath.	<p>Resolved by the Council to accord approval for getting the work of replacement of oil filled transformer with Dry Type Transformers in North of Rajpath & South of Rajpath (Phase-IV) from M/S Control Wel Switchgears at a total computed cost of Rs.1,32,86,000/ on the terms, conditions and specifications of NIT.</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>
15 (B-10)	Replacement of 4 Nos 13 passenger lifts installed at Chanderlok Building, New Delhi.	<p>Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.1,29,73,000/- for the work of replacement of 4 Nos 13 passenger lifts installed at Chanderlok Building, New Delhi.</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>
16 (I-01)	Educational Integration Project of NDMC Schools.	<p>Resolved by the Council, by majority, to accord administrative approval and expenditure sanction to the estimate amounting to Rs.5,34,89,282/- for implementation of Education Integration Project in NDMC Schools through from National Informatics Centre Services Inc. (NICSI), a Govt. of India Enterprise under NIC, Ministry of Communication & Information Technology.</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>
17 (A-14)	Imp. to Palika Milan Housing Complex at Sardar Patel Marg. SH: - Providing tiles in WC , Bath , Kitchen and Rooms , M.S Sheet cup board shutters , Granite counter in kitchen , Kota stone in stairs , Boundary wall toward Gas Godwon and other civil works at Palika Milan Housing Complex.	<p>Resolved by the Council to accord administrative approval and expenditure sanction amounting to Rs.1,13,37,100/- for the work of providing tiles in WC, Bath, Kitchen and Rooms, M.S Sheet cup board shutters, Granite counter in kitchen, Kota stone in stairs, Boundary wall toward Gas Godown and other civil works at Palika Milan Housing Complex .</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>

18 (K-01)	Fixation of charges for the user of Barat Ghars at Moti Bagh, Lodhi Road and Netaji Nagar.	Resolved by the Council to accord approval to the proposal contained in paragraph 3 of the agenda item, to fix the user charges for booking of Barat Ghars for the purpose indicated below :-																							
<p style="text-align: center;">(A) <u>FIXATION OF USER CHARGES:</u></p> <p>(i) <i>Social Functions</i> : -</p> <p>Keeping in view the area of the land, covered space available in the building and amenities provided therein, the user charges are fixed as under –</p> <p>(a) <u>Moti Bagh</u> – Rs. 30,000/- (applicable taxes extra) (b) <u>Lodhi Road</u> – Rs. 20,000/- (applicable taxes extra) (c) <u>Netaji Nagar</u> - Rs. 15,000/- (applicable taxes extra)</p> <p>(ii) <i>Other than Social Functions (including commercial functions)</i> : –</p> <p>(a) <u>Moti Bagh</u> – Rs. 75,000/- (applicable taxes extra) (b) <u>Lodhi Road</u> – Rs. 50,500/- (applicable taxes extra) (c) <u>Netaji Nagar</u> - Rs. 37,500/- (applicable taxes extra)</p> <p>(B) <u>CONSUMPTION CHARGES OF ELECTRICITY (SOCIAL FUNCTIONS)</u> –</p> <p style="text-align: center;">Rates for per day consumption of electricity are fixed as under –</p> <table border="1" data-bbox="496 1182 1361 1543"> <thead> <tr> <th rowspan="2">S.NO.</th> <th rowspan="2">NAME OF BARAT GHAR</th> <th colspan="3">ELECTRICITY CONSUMPTION CHARGES (Per Day)</th> </tr> <tr> <th>Light</th> <th>AC(Cooling)</th> <th>Heating</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Moti Bagh</td> <td>Rs. 4000/-</td> <td>Rs. 13,000/-</td> <td>Rs. 9,500/-</td> </tr> <tr> <td>2.</td> <td>Lodhi Colony</td> <td>Rs. 2,500/-</td> <td>Rs. 9,000/-</td> <td>Rs. 5,000/-</td> </tr> <tr> <td>3.</td> <td>Netaji Nagar</td> <td>Rs. 2,500/-</td> <td>Rs. 9,000/-</td> <td>Rs. 5,000/-</td> </tr> </tbody> </table> <p style="text-align: center;">The charges for AC Cooling/heating shall be payable in advance if the same facility is sought to be availed.</p> <p>(C) <u>CONSUMPTION CHARGES OF ELECTRICITY (NON-SOCIAL AND COMMERCIAL FUNCTIONS)</u> –</p> <p style="text-align: center;">The rates are fixed to be the same as in para (B) above</p> <p>(D) <u>CONSUMPTION CHARGES OF ELECTRICITY FOR TEMPORARY CONNECTION FOR DECORATION PURPOSES-</u></p> <p style="text-align: center;">The Charges for a load of 45Kw of temporary connection for 8 hours is fixed at Rs. 1,900/- per day.</p>			S.NO.	NAME OF BARAT GHAR	ELECTRICITY CONSUMPTION CHARGES (Per Day)			Light	AC(Cooling)	Heating	1.	Moti Bagh	Rs. 4000/-	Rs. 13,000/-	Rs. 9,500/-	2.	Lodhi Colony	Rs. 2,500/-	Rs. 9,000/-	Rs. 5,000/-	3.	Netaji Nagar	Rs. 2,500/-	Rs. 9,000/-	Rs. 5,000/-
S.NO.	NAME OF BARAT GHAR	ELECTRICITY CONSUMPTION CHARGES (Per Day)																							
		Light	AC(Cooling)	Heating																					
1.	Moti Bagh	Rs. 4000/-	Rs. 13,000/-	Rs. 9,500/-																					
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3.	Netaji Nagar	Rs. 2,500/-	Rs. 9,000/-	Rs. 5,000/-																					

(E) SECURITY DEPOSIT –

The Security deposit shall be 50% of the user charges for a day. This would be refunded after deducting the amount of damages, if any, as per the existing guidelines.

(F) CONDITIONS FOR USER CHARGES AND OTHER CONDITIONS FOR ALLOTMENT OF BARAT GHARS –

- (i) If the barat ghar is booked for more than a day, the charges shall be increased by 10% for each additional day. The booking for more than 2 days shall be allowed under special permission of the Chairperson as at present.
- (ii) 50% concession would be given in the user charges and payment of security deposit to NDMC employees on production of his/her identity card and self undertaking regarding the dependency for booking of barat ghar only for the marriage of their son, daughter, self and dependant brother and sister.
- (iii) The barat ghars shall also be available to retired municipal employees on the same conditions as for the employees in service with the NDMC. This facility would also be available to the employees working with Navyug Schools or with the Samaj Kalyan Samiti.
- (iv) The refund of user charges on the cancellation of booking of the barat ghar shall not be made except in very exceptional circumstances which are beyond the control of the person booking the barat ghar and such refund shall only be made under the orders of the Chairperson after deducting such amount (which shall not be less than 25%) as the Chairperson may deem fit after consultation with the Finance Department. If due to any reason including security reasons, the booking of barat ghar had to be cancelled by the NDMC, the person booking the barat ghar would be offered an alternate barat ghar, if available and if it is not available or is not accepted by the person booking the barat ghar, 100% refund for the user charges, security deposit and electric consumption charges shall be made.
- (v) The refund of electricity and security deposit on cancellation of booking shall be made by the NDMC.
- (vi) Other conditions of booking of the barat ghars, payments of user charges and security deposit shall be the same as already approved by the Council from time to time.
- (vii) If any barat ghar is not in demand, the user charges can be suitably re-fixed by the department after due approval from the Finance Department and the Chairperson.
- (viii) If the barat ghar has not been booked and is available for a part of a day for smaller social functions/commercial functions, the department may with the approval of the Chairperson, allot it for half a day on payment of 50% of user charges and electric consumption charges.

	<p>(ix) 50% concession of the user charges at commercial rates would be available for booking other than marriages for non-commercial purposes.</p> <p>(x) In case any clarification is sought in implementing this scheme, the clarification given by the Chairperson shall be final.</p> <p>(G) <u>USER CHARGES AND ELECTRIC CONSUMPTION CHARGES FOR THE OTHER BARAT GHARS -</u></p> <p>The user charges and electric consumption for other barat ghars under the NDMC area shall be fixed/revised on the same principle as per para A to E stated above.</p> <p>(H) <u>RE-FIXATION OF USER CHARGES AND ELECTRIC CONSUMPTION CHARGES-</u></p> <p>The charges fixed in above paragraphs are valid upto 31st March 2012. The re-fixation of the charges shall be considered in April, 2012 after taking into consideration the demand for a particular barat ghar, cost of maintenance, emoluments of the employees deployed in the barat ghars and tariff rate fixed for electricity consumption.</p>	
19 (C-08)	Contracts/Schemes involving an expenditure of Rs.1 Lac but not exceeding Rs.100 lacs.	Information noted.
20 (C-09)	Action Taken Report on the status of ongoing schemes/works approved by the Council.	Information noted.
	OTHER ISSUES	
21 (B-11)	Inspection Report of the sub-committee constituted by the Council as per minutes of the agenda item No. 05 (B-04) dated 19.05.2010 for road lighting poles with HPSV fittings in Talkatora Garden.	Information noted.
22 (S-01)	Report of the Vigilance Department on the Construction of Gymnasium and Social Welfare Centre at Kaka Nagar, New Delhi in compliance of direction given by the Council vide minutes of the meeting held on 19.05.2010 and agenda Item No. 08 (A-09).	Information noted.

	Question raised by Sh. Karan Singh Tanwar, MLA & Member, NDMC, on 19.05.2010, regarding HODs on Deputation	Reply placed as Annexure A.
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(GYANESH BHARTI)
SECRETARY

(PARIMAL RAI)
CHAIRPERSON

Annexure 2 pages

Annexire ends

ITEM NO. 02 (A-15)**1. Name of the subject/project**

Payment of minimum wages as per Clause 10(C) of the contract agreement to the construction agencies working in NDMC projects.

2. Name of the Department

Civil Engineering Department

3. Brief history & detailed proposal of the subject/project

- (a) Govt. of Delhi vide order dated 04 Mar.'10 (**Annexure 'A' See page 17**) has revised the rates of minimum wages for unskilled, semiskilled & skilled labours as per following details:-

Category of workers	Rates of minimum wages per day w.e.f 01-02-2009	Rates of minimum wages per day after w.e.f. 01-02-2010
Unskilled	Rs.151.00	Rs.203.00
Semiskilled	Rs.158.00	Rs.225.00
Skilled	Rs.168.00	Rs.248.00

- (b) The increase in wages is between 34-48% for various categories. The labour element of the contracts is usually between 30%-40%. So, there would be impact of 10%-15% on the cost of various ongoing projects. In the sanctioned estimates there is a provision of 10% permissible limit. So it would definitely effect the completion cost of various projects. The exact calculations can be done only after the completion of the project. Accordingly revised A/A & E/S would be obtained from the Council/Competent Authority depending upon the cost of projects.
- (c) Clause No. 10(C) of the standard agreement based on CPWD manual (**Annexure 'B' See pages 18-22**) deals with the payment of Prices/Wages due to Statutory Orders. If after the submission of the tender, the prices of any material incorporated in the work (excluding the materials covered under 10(C)A and not being a material supplied from the NDMC stores) and/or wages of labour increases as a direct result of the coming in-to force of any fresh law, or statutory rule or order (but not due to any charge in sales tax/VAT) beyond the prices/wages prevailing at the time of the last stipulated date of receipt of tenders including extensions, if any, for the work during contract period including the justified period extended under the provisions of Clause 5 of the

contract without any action under Clause 2, the amount of the contract shall accordingly be varied and provided further that any such increase shall be limited to the price/wages prevailing at the time of stipulated date of completion or as prevailing for the period under consideration, whichever is less and the contractors are entitled for clause due to revised rates after giving the proof of payment of revised wages. So invocation of clause 10(C) would have impact on all the works approved by Chairman/Council. Clause 10(c) is applicable for all the contracts.

- (d) So as per the statutory order minimum wages which have been revised w.e.f. 01 Feb.'10 are required to be paid to agencies with whom agreements have been made as per relevant clauses of contract. The cases for revised Administrative Approval & Expenditure Sanction would accordingly be brought before the council for approval for council power works after completion of the projects.

5. Financial implications of the proposed project/subject

Financial implications would be ascertained after the completion of the projects.

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

To be implemented immediately.

7. Comments of the finance department on the subject

Finance Department vide diary No. 1481/PS/FA/D-10 dated 02 Jul.'10 has seen the case & advised that case be noted to the Council.

8. Comments of the department on comments of Finance Department

No comments.

9. Legal Implications of the subject/project

No

10. Details of previous council Resolution existing law of Parliament and Assembly on the subject.

Not Applicable.

11. Comments of Law Department on the subject.

The case be placed before the Council for information please.

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.

Yes

14. Recommendations.

The case of increase in minimum wages payable to various construction agencies as per clause 10C of standard condition and other terms & conditions of contracts based on CPWD Manual is placed before Council for information & authorizing Chairman, NDMC to accord revised Administrative Approval & Expenditure Sanction in case of Council powers works due to increase of cost of project beyond Rs. 10% permissible limit on account of payment of revised minimum wages as per 10 C of the Agreement.

COUNCIL'S DECISION

Resolved by the Council to authorize Chairman, NDMC to accord revised administrative approval and expenditure sanction for cost enhancement of the ongoing projects, beyond 10% permissible limit necessitated by payment of revised enhanced minimum wages notified by GNCT, Delhi, vide Order No. 12(142)/02/MW/Lab5343 dated 4.3.2010 and keeping in view clause 10 C of the Project(s) Agreement.

It was also resolved that Council will be kept informed about exact cost enhancement in each project by virtue of clause 10C of the Project Agreement.

Annexure 6 pages

Annexure ends

ITEM NO. 03 (B-12)

1. **Name of Work:** Purchase of 11KV,HT(XLPE) Cable of size 300 sq. mm/3Cores, duly ISI marked.
2. **Department:** ELECTRICITY DEPARTMENT
3. **Brief History of the Proposal:** 17 KM. HT (XLPE) Cable of size 300 sq. mm/3Cores, is required for replacement of existing HT cables which have served their useful life and are causing frequent breakdowns in Maintenance (South) division and for augmentation works, against sanctioned estimates, as per details at **Annexure 'A' (See page 26)**.
4. **Detailed Proposal of the Subject:** Tenders for the purchase of HT(XLPE) Cable of size 300sq.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. 05.03.10 at 3.30 PM.

1. M/s Crystal Cables Industries Ltd.—(EMD not submitted, so not considered further.)
2. M/s Havell's India Ltd.
3. M/s Hindusthan Vidyut Product Ltd.
4. M/s Krishna Electrical Industries Ltd.
5. M/s Sri Ram Cables Pvt. Ltd.
6. M/s Uniflex Cables Ltd.

The offers of the above all firms were scrutinized and examined by the Planning Division. After due approval, the price bids of all the eligible participating firms, except M/s Sri Ram Cables Pvt. Ltd., who did not meet the eligibility criteria as per NIT requirement were opened on 27.04.10. The detailed position of the each tendering firm is tabulated as under:-

Name of the firms	Quoted Rates/ Computed Rates	Total Computed Cost for 17 KM cable	Status of the firms.
M/s Crystal Cables Industries Ltd.	N.A	-----	Not Eligible
M/s Havell's India Ltd.	QR-Rs.6,95,000/- per KM CR-Rs7,81,250.85 per KM	Rs. 1,32,81,265/-	Eligible
M/s Hindusthan Vidyut Product Ltd.	QR-Rs.7,19,400/- per KM CR- Rs.81686.16 per KM	Rs. 1,38,86,759/-	Eligible
M/s Krishna Electrical Industries Ltd	QR-Rs.6,96,000/ per K.M CR-Rs.7,97,904.29 per K.M	Rs. 1,35,64,373/-	Eligible
M/s Sriram Cables	N.A	-----	Not Eligible
M/s Uniflex cables Ltd.	QR-Rs.7,20,000/ per K.M CR-Rs.8,37,043.20 per K.M	Rs. 1,42,29,734/-	Eligible

M/s Havell's India Ltd. emerged as the lowest tendering firm for purchase of HT XLPE Cable of size 300 sq mm/3C with their basic rate to Rs.695/-per meter + ED @ 10.3% + CST@ 1% against form "C"+ Freight @Rs.7.00 per meter, thus making computed cost to Rs. 7,81,250.85 per Km & at a total computed cost of Rs. 1,32,81,265/- detailed as under:-

Description	Basic Rates per meter	Excise Duty	CST/VAT	Freight per meter	Cost per KM	Total Computed Cost
M/s Havell's India Ltd. (17 KM)	Rs.695/-	@ 10.3% Rs.71.585	CST @ 1% Rs.7.6659	@7.00	7,81,250.85	1,32,81,265/-

M/s Havell's India Ltd., the L-I tendering firm, has agreed to all terms, conditions and specifications of the NIT.

5. **Financial Implications:** Rs.1,32,81,265/- (Rupees One crore Thirty two lacs eighty one thousand two hundred sixty five Rupees only).
6. **Implementation Schedule:** Commencing with 5000 meters within two months from the date of issue of Supply Order and completion @3000 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. FA-1325/RC-CE(E) dt-11.06.2010 has concurred in to the proposal with no further comments.
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:** Nil
11. **Comments of Law Department:** Nil
12. **Comments of the department on the comments of Law Department:** Nil
13. **Certification by the Department:**
All Central Vigilance Commission (CVC) guidelines have been followed.
14. **Recommendations of the Department:** The case may be placed before the Council for purchase of 17 KM HT (XLPE) Cable of size 300 sq mm/3C, from the lowest tendering firm M/s Havell's India Ltd., with their basic rate of Rs. 695/- per meter + ED @ 10.3% + CST@ 1% against form "C"+ Freight @Rs.7/- per meter , thus making total computed cost of Rs. 1,32,81,265/-, on the terms, conditions & specifications of NIT. Since the requirement of the material is of urgent nature, approval may also be accorded to place supply order on the firm in anticipation to confirmation of the minutes of the Council meeting.

- 15. Draft Resolution:** Resolved by the Council that the approval is accorded to the purchase of 17 KM HT (XLPE) Cable of size 300 sq mm/3C, from the lowest tendering firm M/s Havell's India Ltd. with their basic rate of Rs. 695/- per meter + ED @ 10.3% + CST@ 1% against form "C"+ Freight @Rs.7/- per meter , thus making total computed cost of Rs. 1,32,81,265/-, on the terms, conditions & specifications of NIT. Since the requirement of the material is of urgent nature, approval is also accorded to place supply order on the firms in anticipation to confirmation of the minutes of the Council meeting.

COUNCIL'S DECISION

This item was deferred with the direction that after justifying the rates of the lowest tenderer, the case be again placed before the Council for consideration.

Annexure –'A'**DETAILS OF PROCUREMENT OF CABLE TO BE MADE AGAINST
SANCTIONED ESTIMATES.**

S.No	Ref. of sanction	Description	Qty. as per sanctioned estimate	Qty. being procured	Remarks
1.	A/A & E/S accorded by Council vide resolution No. 13 (B-5) dt-19.04.2006	Replacement of old 11 KV H.T. feeders & interconnector cables in maintenance South Division area.	19000 mtr.	15000 mtr.	The work up to extent of 4000 mtr. already completed.
2.	A/A & E/S accorded by CE (E-II) Deposit work, estimate No.- E-39/2009/EE(P-11KV) dt-22.01.2010.	Enhancement of power load at Jor Bagh Telephone Exchange.	530 mtr.	530 mtr.	
3.	A/A & E/S accorded by Chairman vide item No. 32 (B-XII) dt-15.01.2010. Estimate No. E-48/2009/EE(P)	Establishment of unitized sub-station near South Market in Kidwai Nagar (East).	1390 mtr.	1390 mtr.	
			Total	16920 mtr. ≈ 17000 mtr.	

ITEM NO. 04 (B-13)

(1) **Name of the work** : Improvement of LT network around Akbar Road, New Delhi.

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

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

Subsequent to frequent power trippings observed in the area around Akbar Road and Maulana Azad Road, a survey of the area was carried out by the team of E. E.(E)(P.11KV), E.E.(D/S) and E.E.(M/S). The existing LT network in the area starting from Meena Bagh (near Sunehri Masjid) upto Moti Lal Nehru Place, area around Vice President House along Maulana Azad Road and Akbar road has not been augmented for more than five years. It was observed that the electrical load of the area is increasing day by day due to installation of a number of new air-conditioners and other electrical gadgets. Due to inadequate size of LT network, low voltage and over-heating of cables is a common phenomenon. The area is inhabited by VIPs & sensitive Govt. offices. The existing LT system of the area is unable to cope with the increased electrical load. There is no Electric Substation in this area and power supply is brought from distant Sub-stations. In a meeting attended by SE (E-II), EE(M/S), EE(D/S) & EE(P-11KV) it was decided that 1 x 990 KVA Unitized Sub-station may be installed in the area to augment the LT system of the area. The tentative location of the proposed Unitized Sub-station has also been decided in consultation with stake holders.

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

1. 1 x 990 KVA Unitized Sub-station is proposed to be installed with ring main unit having three SF-6 /1VCB breaker (2 incoming & 1 outgoing).
2. This Unitized Sub-station is to be provided with two HT feeds each of size 400sq.mm/3C. One HT feed of about 1750 m length is proposed to be laid down from Sub-station Pandara Park and the other of about 1300 m length from Sub-station Nirman Bhawan.
3. Two big size GS pillars are proposed to be installed outside to take care of surrounding CPWD Bnglows along Akbar Road at locations to be decided by E.E.(D/S) in consultation with E.E.(M/S) during execution of the work. These GS pillars would be connected with the Unitized Sub-station through LT XLPE cable of size 400 sq.mm/3-½ C.
4. Two HT panels one each at Sub-station Pandara Park and Sub-station Nirman Bhawan are proposed to be installed for providing HT feeds to the proposed Unitized Sub-station.

(5) **Financial implications** : Financial implications in the proposal is estimated to be Rs.1,06,63,500/-.

- (6) **Implementation schedule:** 4 months
- (7) **Comments of the Finance Deptt. on the subject :**
The Finance Deptt. vide Dy. No. 1585/PS/FA/DLO dated 15-7-10 have concurred in the estimate with no further comments.
- (8) **Comments of the Deptt. on the Comments of the Finance Deptt. :** NIL
- (9) **Legal implication of the Project :** - NIL
- (10) **Details of previous Council Resolution :** NIL
- (11) **Comments of Law Deptt. :** NIL
- (12) **Comments of the Deptt. on the comments of Law Deptt. :** NIL
- (13) **Certification by the Deptt. that all Central Vigilance Commission (CVC) guidelines have been followed :** It is certified that all Central Vigilance Commission (CVC) guidelines have been followed in processing the case.
- (14) **Recommendation :** The estimate amounting to Rs.1,06,63,500/- for Improvement of LT network around Akbar Road, New Delhi 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 and expenditure sanction is granted to the estimate amounting to Rs.1,06,63,500/- for Improvement of LT network around Akbar Road, New Delhi. Further approval is accorded to take further action in anticipation to confirmation of the Minutes of Council Meeting.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.1,06,63,500/- for Improvement of LT network around Akbar Road, New Delhi.

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

ITEM NO. 05 (M-01)

1. **Name of the subject/project:** Mid day meal scheme
2. **Name of the department/departments concerned:** Education Department
3. **Brief history of the subject/project:**

National Programme of Nutritional support to Primary Education commonly known as the mid day meal scheme was launched as a centrally sponsored Scheme on 15th Aug.1995. The objective of the scheme was to boost universalization of Primary Education by increasing enrolment, attendance, retention and learning level of the children especially those belonging to the lower section of the society and to improve Nutritional status of the children.

NDMC implemented the scheme in August 2003 and 60 schools out of 82 schools were covered in the year 2003-04. The scheme was fully implemented in the month of September 2004 in all the NDMC, NDMC Aided & Navyug Schools run by the Navyug School Educational Society, a fully funded Society of the NDMC. Since then NDMC is providing cooked mid day meal in all the Schools up to Class V through NGOs/Caterers. NDMC extended the benefit of mid day meal scheme up to class XII in the year 2007-08. In the year 2009-10 two suppliers Iskcon Food Relief Foundation & M/s Manjeet Caterer had supplied the mid day meal upto the closing of school i.e. 7th May, 2010 (before summer vacation) in all the NDMC, NDMC Aided & Navyug Schools. The rate/Nutritive value/weight of the cooked meal mentioned against the each category as given below:

Category of the students	Rate per day per child	Requisite Nutritive value	Approx. Weight of cooked meal
Nursery	Rs.2.50	450 calories 10 Gms. Protein	250 Gms. to 300 Gms.
Primary	Rs.2.69 with 100 gms. of free grain subsidy i.e. wheat/rice	450 calories 20 gms. protein	300 Gms.
Middle	Rs.4.03 with 150 gms. of free grain subsidy i.e. wheat/rice	700 calories 30 gms. protein	350 Gms.
Sec. & Sr. Sec.	Rs.4.50/-	700 calories 20 gms. protein	350 Gms.

4. **Detailed Proposal on the Subject/project**

The work of the Mid Day Meal supplier may be assigned to the existing supplier namely ISKCON Food Relief Foundation and Manjeet Caterers for the session 2010-2011 i.e. up to May 2011 on existing terms & conditions. The items of food to be supplied are as under: -

Wheat based items:

Atta & Besan Puri with Alloo curry/or mixed vegetables
Atta Poori with chhole (mashed vegetables added to the gravy)
Suji Halwa with chhole

Rice based items:

Rice Chhole with mashed vegetables added to the gravy
 Rice with sambhar/Daal (with vegetables added to the gravy)
 Rice with Kadhi (with vegetables added to the gravy)

4.1 Health and Hygiene

4.11 The service provider NGOs/Caterer/others who will be assigned the job of supplying mid day meal in NDMC schools shall supply the meal in the sealed container and unseal the container in the presence of the Head of the school/Members of the school committee before the distribution of the cooked meal in tiffin box/disposal plates of good quality.

4.12 MOH will monitor the quality and hygiene of food supplied to the school children by deputing Doctors/Dietician.

4.13 Committee comprising of Head of the Institution/HM, a domestic science teacher/science background teacher and a PTA member/residential welfare member of the area will supervise the scheme and head of the school will ensure that the food supplied by the supplier is in accordance to the prescribed norms as mentioned in para 4.1. The cooked food will be tasted by the members of the committee and the concerned class teachers before the distribution among the children.

4.2 Monitoring & Checking

4.21 Parents preferable Mothers can be made a formal member of the existing school level monitoring committee. Modified committee shall meet at least four times a year to review/assess implementation of the programme.

4.22 The committee members shall visit the kitchens of the suppliers. The programme of visit shall be decided by the Head of school. Observations made during visits shall be informed to the supplier as early as possible. In case of any adverse observations HQs shall be informed immediately. Every school shall have a complaint/suggestion register.

4.23 In order to minimize any irregularity and for proper monitoring and accountability all the schools under the jurisdiction of NDMC were divided into 8 zones and Nodal officers were appointed to monitor the scheme in each zone.

4.24 PTA shall be requested to make sure at least one parent by rotation should be present to check and taste the meal. A register shall be maintained by the Head of the school on which the entries of (i) Name of the parents (ii) Name of the students (iii) Class of the students (iv). Address & (v) Remarks for each date with signature of the parents shall be maintained.

4.25 To have an idea of impact of mid day meal on the Health of the children a regular Health checkup through the Doctors have already been started.

5. Financial implications of the proposed project/subject:**Rs 160 Lacs only (One Hundred Sixty Lacs Only)**

It is also pertinent to mention here that the GNCT of Delhi has been sanctioning grant for Mid-day Meal for all the NDMC, NDMC Aided schools for Primary & Upper-Primary classes i.e. classes Ist to VIIIth including Navyug schools. The Navyug School has been sending us the consumption report for grains allotted by GNCT of Delhi free of cost. However, the

expenditure incurred on providing of mid-day meal to the students of Navyug Schools, the Navyug School Educational Society has been making payment to the suppliers directly, it results in saving of the grant received on mid-day meal for Navyug Schools from GNCT of Delhi. On the other hand, it results in increase in expenditure of Navyug Schools. It would be appropriate that even for Navyug Schools the payment to the suppliers on mid-day meals is released by the Education Department from within the grant received from GNCT of Delhi after completing all the formalities of releasing payments as is being done in the case of NDMC Schools. It will result in optimal utilization of Mid-day-Meal grant received from GNCT, Delhi and proper maintenance of accounts.

The existing total budget provision under mid day meal scheme for all schools of NDMC and NSES is of Rs. 120 Lacs under Plan & Non Plan in the Head of account D.1.10.9(1) for the year 2010-2011. However, revised estimated expenditure is of Rs. 160 lacs. Expenditure, which will incurred for implementing the Scheme I to class VIII, will be charged under the Plan Head and for Nursery, IX to XII classes will be borne by NDMC under the Non Plan head.

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

Mid day meal scheme is an ongoing scheme and the meal is to be provided to the students on all the working days. The said proposal is for the period 26th June 2010 to academic session 2010-11.

7. Comments of the Finance Department on the proposal.

The Finance Department has seen and concurred vide Diary No.1335 dated 11.06.2010.

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

No Comments required.

9. Legal implication of the subject/project

N. A.

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

N.A.

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

N.A.

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

- (i) Resolutions No. 16(M-1) dated 02-07-04
- (ii) Resolutions 12(M-2) dated 27-04-05
- (iii) Resolutions 13(M-3) dated 19-05-06
- (iv) Resolutions 10(M-1) dated 18-07-07
- v) Resolutions No. 06(M-3) dated 16-07-08
- vi) Resolution No. 06(M-01) dated 15-04-2009

13. Certificate that all CVC Guidelines on the subject have been followed.

NA

14. Recommendations

- a) The responsibility of the Mid Day Meal supplier may be assigned to the existing suppliers namely ISKCON Food Relief Foundation and Manjeet Caterers for the session 2010-2011 i.e. up to May 2011 on existing terms & conditions.
- b) Administrative approval and revised estimated expenditure sanctioned for an amount of Rs.160 lacs to provide the mid day meal to Nur. to class XII students of NDMC, NDMC Aided & Navyug schools at the proposed rate/nutritive value/weight of the cooked meal as detail below:

Category of the students	Rate per day per child	Requisite Nutritive value	Approx. Weight of cooked meal
Nursery	Rs.2.50	450 calories 10 Gms. Protein	250 Gms. to 300 Gms.
Primary	Rs.2.69 with 100 gms. of free grain subsidy i.e. wheat/rice	450 calories 20 gms. protein	300 Gms.
Middle	Rs.4.03 with 150 gms. of free grain subsidy i.e. wheat/rice	700 calories 30 gms. protein	350 Gms.
Sec. & Sr. Sec.	Rs.4.50/-	700 calories 20 gms. protein	350 Gms.

15. Draft Resolution

Resolved by the Council that the Mid Day Meal supply may be assigned to the existing suppliers namely ISKCON Food Relief Foundation and Manjeet Caterers for the academic session 2010-2011 i.e. up to May 2011 on existing terms & conditions.

Administrative approval and revised estimated expenditure sanction may be accorded for an amount of Rs.160 Lacs to provide the mid day meal to Nur. to class XII students of NDMC, NDMC Aided & Navyug schools at the proposed rate/nutritive value/weight of the cooked meal as detail below:

Category of the students	Rate per day per child	Requisite Nutritive value	Approx. Weight of cooked meal
Nursery	Rs.2.50	450 calories 10 Gms. Protein	250 Gms. to 300 Gms.
Primary	Rs.2.69 with 100 gms. of free grain subsidy i.e. wheat/rice	450 calories 20 gms. protein	300 Gms.
Middle	Rs.4.03 with 150 gms. of free grain subsidy i.e. wheat/rice	700 calories 30 gms. protein	350 Gms.
Sec. & Sr. Sec.	Rs.4.50/-	700 calories 20 gms. protein	350 Gms.

COUNCIL'S DECISION

Resolved by the Council that subject to certification by the Director (Edn.) that the services provided by the existing suppliers were satisfactory, the Mid Day Meal supply may be assigned to the existing suppliers namely ISKCON Food Relief Foundation and Manjeet Caterers for the academic session 2010-2011 i.e. up to May 2011 on existing terms & conditions.

It was also resolved by the Council to accord administrative approval and revised expenditure sanction for an amount of Rs.160 Lacs to provide the mid day meal to Nur. to class XII students of NDMC, NDMC Aided & Navyug schools at the proposed rate/nutritive value/weight of the cooked meal as detailed below:

Category of the students	Rate per day per child	Requisite Nutritive value	Approx. Weight of cooked meal
Nursery	Rs.2.50	450 calories 10 Gms. Protein	250 Gms. to 300 Gms.
Primary	Rs.2.69 with 100 gms. of free grain subsidy i.e. wheat/rice	450 calories 20 gms. protein	300 Gms.
Middle	Rs.4.03 with 150 gms. of free grain subsidy i.e. wheat/rice	700 calories 30 gms. protein	350 Gms.
Sec. & Sr. Sec.	Rs.4.50/-	700 calories 20 gms. protein	350 Gms.

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

Audit Comments on Monthly Accounts converted to Double entry on accrual basis for the months April 2008 to September 2008 and Financial Statements for the first two quarters ended 30.06.2008 and 30.09.2008 of the year 2008-09.

2. Name of the Department /Departments concerned

Office of the Chief Auditor

3. Brief history of the subject/project

As per Council Resolution No. 3(xii) dated 24.04.2002, NDMC decided to switch over to Accrual Based Double Entry System of accounting with effect from the year 2004-05. Accrual Based Monthly accounts for April, 2008 to September, 2008 and Financial Statements for the first two quarters ended 30.06.2008 and 30.09.2008 based on conversion of Single entry Accounts into accrual based Double entry Accounts were received in the office of the Chief Auditor for examination in March, 2010. The same were audited and report sent to Financial Advisor in April, 2010 & May, 2010 for his comments/observations. As these accounts have far reaching implications, audit was conducted under Section 59 of NDMC Act, 1994. The said section envisages that Chief Auditor shall report to the Chairperson any material impropriety or irregularities which he may at any time observe in the accounts of the Council. As contemplated in the Act, audit comments on Monthly Accounts for the months of April 2008 to September 2008 and Financial Statements for the first two quarters ended 30.06.2008 and 30.09.2008 prepared on Accrual Basis Double Entry Accounts are submitted for information of the Council.

4. Detailed proposal on the subject/project

Audit Comments on Monthly Accounts for the months of April 2008 to September 2008 and Financial Statements for the first two quarters ended 30.06.2008 and 30.09.2008 prepared on Accrual Basis Double Entry Accounts are **enclosed as a separate booklet**. The highlights are detailed below:

- i) In absence of complete physical verification of assets there were material discrepancies in numbers of fixed assets.
- ii) In most of the cases for the assets pertaining to period prior to 2004-05, the value of assets has been taken at a nominal value of Re.1 for each asset in contravention of accounting principles. No valuation has been done for any of these assets (i.e. acquired prior to 01.04.2004 and identified afterwards).
- iii) Age-wise analysis of outstanding arrears of revenue due against the revenue earning Departments was not done by the Accounts Department. Resultantly, authenticity of sundry debtors reflected in the Balance Sheet could not be vouched for.
- iv) A huge amount of Rs. 1,070.75 crore has been shown as provision for Bad and Doubtful Debts without any supporting documents and appropriate disclosures in Accounts.

5. Financial implications of the proposed project/subject

Nil

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

Not Applicable

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

Not Applicable, since Draft Agenda Item incorporates Comments on Monthly Accounts for the months of April 2008 to September 2008 and Financial Statements for the first two quarters ended 30.06.2008 and 30.09.2008 of the year 2008-09 prepared on Accrual Basis as part of Statutory Audit Function envisaged in NDMC Act, 1994

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

Not Applicable

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

Nil

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

Till date four Agenda Items have been laid in the Council on Audit Comments on Financial Statement/Double Entry Accounts. The detail of previous Council Resolution is as under:-

S.No.	Resolution Number and date	Particulars
1.	Item No.9(01) dated 28.04.08	Audit Comments on Financial Statements(Double Entry) for the year ending March 2005
2.	Item No.07 (D-07) dated 21.01.09	Audit Comments on Financial Statements(Double Entry) for the year ending March 2006
3.	Item No.11 (0-03) dated 15.01.2010	Audit Comments on Financial Statements(Double Entry) for the year ending March 2007
4.	Item No.12 (0-04) dated 15.01.2010	Audit Comments on Financial Statements(Double Entry) for the year ending March 2008

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

Not Applicable, since Draft Agenda Item incorporates Comments on Monthly Accounts for the months of April 2008 to September 2008 and Financial Statements for the first two quarters ended 30.06.2008 and 30.09.2008 prepared on Accrual Basis as part of Statutory Audit Function envisaged in NDMC Act, 1994

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

Not Applicable

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

Not Applicable

14. **Recommendation**

The Audit Comments on Monthly Accounts for the months of April 2008 to September 2008 and Financial Statements for the first two quarters ended 30.06.2008 and 30.09.2008 prepared on Accrual Basis may be presented to the Council.

15. **Draft Resolution**

Resolved by the Council that information regarding Audit comments on Monthly Accounts for the months April 2008 to September 2008 and Financial Statements for the first two quarters ended 30.06.2008 and 30.09.2008 of the year 2008-09 prepared on Accrual Basis reported by the Chief Auditor is noted. The Department is advised to carry out the necessary improvements in the Financial Statements for the subsequent years.

COUNCIL'S DECISION

Information noted.

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

Audit Comments on Monthly Accounts for the months of April, 2008 to September, 2008

2. Name of the Department /Departments concerned

Office of the Chief Auditor

3. Brief history of the subject/project

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

4. Detailed proposal on the subject/project

Draft Agenda item on Audit Comments on Monthly Accounts for the months of **April, 2008 to September, 2008 (enclosed as a separate booklet)** highlights excess of expenditure and receipts over budget provision, non-maintenance of records relating to Suspense Accounts, difference in the books of Compilation and Cash Branch, improper accounting of amount of dishonoured cheques in books of accounts, non-remittance of Cess charges within the prescribed time, etc.

5. Financial implications of the proposed project/subject

Nil

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

Not Applicable

7. Comments of the Finance Department on the subject

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

8. Comments of the Department on comments of Finance Department

Not Applicable

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

Nil

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

Till date Sixteen Agenda Items have been laid in the Council on the Monthly Accounts. The details of previous Council Resolutions are as under:-

S.No.	Resolution Number and date	Details of Monthly Accounts
1.	Item No.9(C5) dated 8.02.05	12 Monthly Accounts for the year 2002-03
2.	Item No.10(06) dated 8.02.05	12 Monthly Accounts for the year 2003-04
3.	Item No.8(0-7) dated 3.03.05	03 Monthly Accounts for the period April-2004 to June-2004
4.	Item No.5(0-2) dated 22.07.05	03 Monthly Accounts for the period July-2004 to September 2004
5.	Item No.7(0-3) dated 28.09.05	03 Monthly Accounts for the period October-2004 to December-2004
6.	Item No.7(0-4) dated 23.11.05	03 Monthly Accounts for the period January-2005 to March-2005
7.	Item No.9(0-2) dated 15.12.06	12 Monthly Accounts for the period April 2005 to March 2006
8.	Item No.6(0-1-) dated 20.06.07	Monthly Accounts for the months of April 2006 to June 2006
9	Item No. 18(0-4) dated 17.10.2007	Monthly Accounts for the month of July 2006
10	Item No. 07(0-5) dated 16.01.08	Monthly Accounts for the months of August and September 2006
11	Item No. 08(0-6) dated 13.02.08	Monthly Accounts for the months of October-December 2006
12	Item No. 10(0-2) dated 21.05.08	Monthly Accounts for the months of January-March 2007
13	Item No. 11(0-5) dated 17.09.08	Monthly Accounts for the month of April-May 2007
14	Item No. 07(0-6) dated 15.10.08	Monthly Accounts for the month of June-July 2007
15	Item No. 03(0-9) dated 18.03.09	Monthly Accounts for the month of August 2007 to September 2007
16	Item No. 09(0-02) dated 21.08.09	Monthly Accounts for the month of October 2007 to March 2008

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

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

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

Not Applicable

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

Not Applicable

14. **Recommendation**

The Audit Comments on Monthly Accounts for the month of April, 2008 to September, 2008 may be presented to the Council.

15. **Draft Resolution**

Resolved by the Council that information regarding audit comments on Monthly Accounts for the months of April, 2008 to September, 2008 as reported by the Chief Auditor is noted.

COUNCIL'S DECISION

Information noted.

ITEM NO. 08 (M-02)**1. Name of the Subject/Project:-**

Uniform Subsidy to the students of NDMC schools & NDMC's Aided schools as per policy prevailing in Directorate of Education, GNCT Delhi with respect to revision in the rates @ Rs.700 for the student of classes VI to XII and @ Rs.500 to the student of classes Nursery to V for the Academic year 2010-11.

2. Name of the Department :- Education**3. Brief History of the Subject/Project:-**

Till the academic session 2003-04, NDMC was distributing unstitched uniform in the form of cloth to all the students from Nursery to class VIII. In the academic session 2005-06, stitched uniform was given to the students of Nursery to class VIII. In the year 2006-07, it was decided to provide stitched uniform to all the students from class Nursery to XII. In pursuance to the decision, tenders were invited in that year. But the same could not be materialized due to technical difficulties. In the academic year 2007-08 proposal for providing stitched uniform was again approved by the Council but the decision could not materialize due to procedural delay in vetting the tender documents. Therefore, the department in the year 2006-07 & 2007-08 made cash disbursement in lieu of stitched uniform. As the deptt. has been disbursing cash since 2006-07, it was also decided for year 2008-09 to disburse cash for two sets of summer uniform and provide two sets of stitched winter uniform by inviting tender vide Council Reso. No. 14 (M-1) dt. 21-05-08. The department has made cash payment for two sets of uniform for summer @ Rs.300.00, Rs.450.00 and Rs.550.00 per student of Nursery, Primary and Middle respectively and Rs.600.00 per student of Secondary and Sr. Secondary.

The Council vide Reso. no. 10(M-6) Dated 21.01.2009 resolved to provide Uniform Subsidy @ Rs.500.00 per student of class Nursery to XII of NDMC schools and NDMC, Aided schools for the Academic year 2008-09 and 2009-10 as prevailing in the Directorate of Education, GNCT of Delhi.

4. Details Proposal on the Subject/Project:-

The deptt. proposed to provide 2 sets of stitched uniform for summer and winter which was approved by the Council in the year 2006-07. In pursuance to the decision, tenders were invited in that year. But the same could not be materialized due to technical difficulties. In the academic year 2007-08 proposal for providing stitched uniform was again approved by the Council but the decision could not materialize due to procedural delay in vetting the tender documents. Therefore, the department in the year 2006-07 & 2007-08 made cash disbursement in lieu of stitched uniform. As the deptt. has been disbursing cash since 2006-07, it was decided also for year 2008-09 to disburse cash for two sets of summer uniform and provide two sets of stitched winter uniform by inviting tender vide Council Reso. No. 14 (M-1) dt. 21-05-08.

During the process, it was felt that as Education department, NDMC broadly follows all guidelines of Directorate of Education, GNCT, Delhi, policy with respect to 'UNIFORM SUBSIDY' may also be adopted to bring in parity. As it is, NDMC has been disbursing cash in lieu of uniform w.e.f. academic session 2006-07. Uniform subsidy policy prevailing in GNCT, Delhi is to disburse cash @ Rs.500.00 per student for Class Nursery to XII of its Schools/Aided schools NDMC vide Reso. No.10 (M-6) Dated 21.01.2009 adopted this policy. Directorate of Education, GNCT, Delhi vide circular no. F.D.E.18-12(3)/2003/Plg./552-570

Dated: 18 June 2010 (**Annexure A, See pages 43 - 44**) revised the rates of Uniform Subsidy @ Rs. 700 for classes VI to XII and no change in rates of students classes Nursery to V. These students shall be paid Uniform subsidy at old rates i.e. Rs. 500 per child per annum.

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

An estimated expenditure amounting to Rs. 1,37,97,700 is likely to be incurred as detailed under.

Level	Enrolment	Proposed per Head Rate (Rupees)	Amount (Rupees)
Nursery	2526	500	1263000
Primary	12993	500	6496500
Middle	5364	700	3754800
Secondary	2000	700	1400000
Sr. Secondary	1262	700	883400
TOTAL	24,145		13797700

6. Implementation Schedule with time limits for each state including internal processing:- One month

7. Comments of Finance departments:-

Finance Deptt. has concurred the proposal of the Department vide their Dy. No.1453 Dt. 30.06.2010.

8. Comments of the department on the comments of the Finance department:- --NIL---

9. Legal implication of the Subject/Project:- ---NIL---

10. Details of previous council resolutions, existing law of parliament & assembly on the subject:-

i) Council's Reso. 12 (M-2) dated 17-05-06 Providing stitched uniform to students of class Nursery to XII of NDMC and Aided schools through supplier.

ii) Council's Reso. 31 (M-4) dated 17-10-07 Cash disbursement to all students of class Nursery to XII of NDMC Schools & NDMC Aided School in academic year 2007-08 and inviting tender for providing two sets for summer and winter for the academic session 2008-09.

iii) Council's Reso. 14 (M-1) dated 21-05-08 Cash disbursement for two sets of uniform for summer inviting tender for giving two sets of stitched uniform for winter to all students of class Nursery to XII of NDMC & NDMC's Aided -Schools for academic session 2008-09.

iv) Council Reso. No. 10 (M-6) Dated 21/01/2009 Uniform Subsidy to students of class Nursery to XII of NDMC Schools & NDMC's Aided schools as per policy prevailing in Directorate of Education, GNCT for the Academic Session 2008-09, 2009-10.

11. Comments of Law department on the Subject/Project :-

This has concurrence of the Law Department.

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

NIL--

13. Certificate that all CVC Guidelines on the subject have been followed.**14. Recommendation:-**

Revision of rates of Uniform Subsidy for the student of classes VI to XII @ Rs.700 and for the student of classes Nursery to V @ Rs. 500 per child per annum of NDMC/ NDMC Aided schools for the Academic year 2010-11 as prevailing in the Directorate of Education, GNCT of Delhi.

15. Draft Resolution:-

Resolved by the Council that Uniform Subsidy @ Rs.700 per student per annum for classes VI to XII and @ Rs. 500 for classes Nursery to V for the Academic year 2010-11 as prevailing in the Directorate of Education, GNCT of Delhi is approved for all the students of NDMC schools and NDMC's aided schools.

COUNCIL'S DECISION

Resolved by the Council to accord approval for Uniform Subsidy for the Academic year 2010-11 as prevailing in the Directorate of Education, GNCT of Delhi, @ Rs.700 per student per annum for classes VI to XII and @ Rs.500 for classes Nursery to V for all the students of NDMC schools and NDMC's aided schools.

ANEXURURE 2 pages

Annexure ends

ITEM NO. 09 (D-02)**1. Name of the Subject/Project**

Re-appropriation of Funds in Budget Estimates 2010-11.

2. Name of the Department

Finance (Budget) Department

3. Brief history of the Subject/Project

Regulation 8 of the proposed NDMC (Budget Estimates) Regulations, 2007, approved by the Council vide Resolution No. 13 (D-2) dated 22.08.2007 prescribes for re-appropriation of budget allocation as under:

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

4. Detailed proposal on the Subject/Project

In pursuance of directions as contained in Regulation 8 of the proposed NDMC (Budget Estimates) Regulations, 2007, a report of the re-appropriations in Budget Estimates 2010-11 authorized during 1st Quarter of 2010-11 (01.04.2010 to 30.06.2010) as per the details enclosed as **Annexure-I (See pages 47 - 60)** is placed before the Council for information and approval.

5. Financial implication of the proposed Project/Subject

No financial implication is involved.

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

Not applicable

7. Comments of the Finance Department on the subject.

Not applicable

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

Not applicable

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

Reso. No.10 (D-04) dated 15.01.2010.

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

Not applicable

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

Not applicable

12. Recommendation

Re-appropriations in Budget Estimates 2010-11 authorized during 1st Quarter of 2010-11 (01.04.2010 to 30.06.2010) as detailed in **Annexure-I (See pages 47 - 60)** be approved by the Council in terms of Regulation 8 of the proposed NDMC (Budget Estimates) Regulations, 2007.

13. Draft Resolution

Resolved that the Re-appropriations in Budget Estimates 2010-11 authorized during 1st Quarter of 2010-11 (01.04.2010 to 30.06.2010) as detailed in **Annexure-I (See pages 47 - 60)** are approved in terms of Regulation 8 of the NDMC (Budget Estimates) Regulations, 2007.

14. Draft Resolution

Resolved by the Council that the Re-appropriations in Budget Estimates 2010-11 authorized during 1st Quarter of 2010-11 (01.04.2010 to 30.06.2010) as detailed in **Annexure-I (See pages 47 – 60)** are approved in terms of Regulation 8 of the proposed NDMC (Budget Estimates) Regulations, 2007”.

COUNCIL’S DECISION

Resolved by the Council that the Re-appropriation in Budget Estimates 2010-11 authorized during 1st Quarter of 2010-11 (01.04.2010 to 30.06.2010) as detailed in Annexure-I of the agenda are approved in terms of Regulation 8 of the proposed NDMC (Budget Estimates) Regulations, 2007.

Annexures 14 pages

Annexure ends

ITEM NO. 10 (B-14)

1. NAME OF WORK: Estimate for the purchase of 02 Nos. 16/20 MVA, 33/11 KV power transformers.

2. NAME OF THE DEPARTMENT: ELECTRICITY DEPARTMENT

3. BREIF HISTORY OF THE SUBJECT:

An estimate amounting to **Rs. 3,57,81,854/- (G) & Rs. 3,53,33,518/- (N)** has been framed for purchasing 02 Nos. 16/20 MVA, 33/11 KV power transformers against the Depreciation Reserve Fund under the Budget Head E-3.

4. DETAILED PROPOSAL ON THE SUBJECT:

The estimate was noted to the council vide item No. 13(B-08) dt- 16.06.2010 and it was deferred with the direction that the department will resubmit the case in the next meeting of the council with more background details including copies of earlier resolutions passed by the council on this matter.

As directed the case is resubmitted with more background details including copies of earlier resolutions passed by the council on this matter.

Council vide Resolution No.33 (B-29) dt.17-10-07 (copy placed at **Annexure 'A' (See pages 64 - 66)**) accorded the concept in principle approval to initiate purchase cases for entire material as per assessment of the specially constituted committee amounting to a total cost of Rs.223 Crore including 40 Crore already approved by the Council vide Resolution No.17 (B-29) dt.19-09-2007 to short cut the time and making the material available for proper utilization against various sanctioned estimates. Normal purchase procedure shall be followed and cases as required will be sent to Finance for their concurrence before placing supply orders with the approval of the competent authority, Accordingly, procurement action had been initiated for the purchase of the 7 Nos. 33/11KV power transformers.

Council vide Resolution No.13 (B-1) dt. 28.04.08 (copy placed at **Annexure 'B' (See pages 67 - 70)**) accorded approval for purchase of 6 Nos. 33/11KV power transformers against stock ceiling.

All the six power transformers have been installed & commissioned in the system as per requirement.

Estimate for replacement of 4 Nos. 33/11 KV power transformer had already been sanctioned and expenditure charged to the respective schemes.

Lately 2 nos. power transformers one each at ESS DDB Mandi House and Babu Dham become defective. They had already worked for their prescribed life of 25 year and on examination, were found to be beyond economical repairs. Reserve price has been fixed by the condemnation Sub-Committee & the proposal has been concurred by the Finance. These unserviceable transformers shall be auctioned through MSTC after due process and approval. Two available power transformers have been installed & commissioned one each at 33KV ESS Babu Dham & 33 KV ESS Mandi House.

The estimate has been prepared so that expenditure of 2 nos. power transformers installed at ESS DDB Mandi House and ESS Bapu Dham can be charged to the Depreciation Reserve Fund under the Budget Head E-3.

5. **FINANCIAL IMPLICATION OF PROPOSED SCHEME:** Rs. 3,57,81,854/- (G) &
Rs. 3, 53, 33,518/- (N).

6. **IMPLEMENTATION SCHEDULE:**

The estimate has been prepared so that expenditure of 2 nos. power transformers installed at ESS DDB Mandi House and ESS Bapu Dham can be charged to the Depreciation Reserve Fund under the Budget Head E-3.

7. **COMMENTS OF FINANCE:**

The Finance has concurred in the estimate vide Dairy No. 858/Fin./R-E dated 07.05.2010.

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

No Comments

9. **LEGAL IMPLICATIONS:**

No legal implications involved.

10. **DETAILS OF PREVIOUS COUNCIL'S RESOLUTION :Item No.33 (B-29) dt17.10.2007 &Item No. 13 (B-1) dt-28.04.2008**

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

12. **COMMENTS OF DEPARTMENT ON COMMENTS OF LAW DEPARTMENT:** NIL

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

All CVC guidelines have been followed while processing the case.

14. **RECOMMENDATIONS OF THE DEPARTMENT:**

The estimate may be noted to the Council for according administrative approval and expenditure sanction to the estimate amounting **Rs. 3,57,81,854/- (G) & Rs. 3,53,33,518/- (N)** for purchase of 02 no. 16/20 MVA, 33/11 KV power transformers against the Depreciation Reserve Fund under the Budget Head E-3. Approval may also please be accorded to take further action in anticipation to the confirmation of minutes of the Council Meeting.

15. DRAFT RESOLUTION :

Resolved by the Council that Administrative approval and Expenditure sanction is accorded to the estimate amounting to **Rs.3,57,81,854/-(G) & Rs.3,53,33,518/-(N)** for the purchase of 02 no. 16/20 MVA, 33/11 KV power transformers against the Depreciation Reserve Fund under the Budget Head E-3. Approval is also accorded to take further action in anticipation to the confirmation of minutes of the Council Meeting.

COUNCIL'S DECISION

Resolved by the Council by majority, to accord administrative approval and expenditure sanction to the estimate amounting to Rs.3,57,81,854/-(G) & Rs.3,53,33,518/- (N) for the purchase of 02 no. 16/20 MVA, 33/11 KV power transformers against the Depreciation Reserve Fund under the Budget Head E-3.

It was resolved by the Council that the Financial Advisor and the Chief Auditor will examine the current process of accounting system and suggest measures to simplify the procedural requirements.

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

ANNEXURE 7 PAGES

ANNEXURE ENDS

ITEM NO. 11 (L-05)**1 Name of the Subject:**

Policy regarding relocation of municipal units effected due to various projects/works.

2 Name of the Department:

Estate Department -I

3. Brief History:

Section 141 of the NDMC Act 1994 relates to the disposal of immovable property. Sub-section (1) requires that the Chairperson may, with the sanction of the Council lease, sell, let out or hire or otherwise transfer any property belonging to the Council. Subsection (2) provides that 'the consideration for which any immovable property may be sold, leased or otherwise transferred shall not be less than the value at which such immovable property could be sold, leased or otherwise transferred in normal and fair competition'.

Subsection (3) provides that 'the sanction of the Council under section 141 may be given either generally for any class of cases or specially for any particular case'.

The NDMC has various municipal units within its area. These are managed and allotted on monthly licence fee basis and general guidelines for the allotment, management and charging of the licence fee are being given by the Council from time to time.

The proposed policy was placed before the Council in its last meeting held on 16.06.2010 vide item no. 08(L-03). The department was directed to scrutinize the legal aspects of the case w.r.t. pending court case(s) and submit the agenda with legal opinion for consideration of the Council in its next meeting.

4. Detailed proposal on the Subject:

The Estate Deptt. is facing some difficulty in management of certain units where these units are to be re-allocated from the existing place to some new site considering various development projects or for security considerations. Wherever such units are being re-allocated normally similar size of units are constructed by the Civil Deptt. and allocated by the Estate Deptt. However, recently some difficulty is being experienced by the Estate Deptt. in the allotment of spaces where the Drug Controller has given a drug licence under the Drugs & Cosmetics Rules. In the guidelines issued on 25.2.1997, under Rule 64, there are certain requirements about the height of the premises and size of the premises in which a chemist shop can operate. The height of the premises should not be below 2.75 metres and the carpet area required to run a chemist shop should not be less than 10 sq. mt. Thus, where a licence was issued by the Drug Controller for the premises with a height of less than 2.75 sq. mt. or carpet area of less than 10 sq.m., now as per the revised guidelines on the re-allocation of the premises, the carpet area should not be less than 10 sq.mt. As such wherever the licensed premises having the trade of chemist with an area of less than 10 sq.mt., under the new guidelines, on re-allocation a minimum carpet area of 10 sq. mt. would be necessary.

Earlier while relocating units at AIIMS-Safdarjung area due to DMRC work, the department faced similar problems. In three cases the allottees, who were earlier allowed chemist trade had gone to the Delhi High Court for additional area, so as to enable them to comply with the requirements of Rule 64 of Drug and Cosmetic Act, for obtaining a drug licence on relocation. Hon'ble Delhi High Court in these cases had directed that the allottees running a chemist trade could be relocated only to the premises which would meet requirements of the amended rule 64 of the Drug & Cosmetic Act, 1945. A similar situation has arisen while relocating the units behind RML Hospital under Street Scaping Project and may also arise in other places in future where chemist trade has been allowed and requires relocation.

The Council has not provided any guidelines to be followed in such cases. Broadly there are two type of cases – (i) where the licence already exists and the premises are to be relocated (ii) where the licence does not exist but the licensee is interested to have a licence and the requirement of the height and area are already fulfilled.

The Council may issue guidelines to deal with both type of cases (a) In case of (i) above regarding the terms of licence of the relocated units and licence fee to be charged to meet requirement of Section 141(2) of the Act for the extra area to be provided under the relocation scheme (b) Condition for grant of permission and licence fee to be charged in conformity with provisions of Section 141(2) of the Act, from the existing allottees who fulfill the requirement of height and carpet area and are interested to have a drug licence in the existing unit(s).

5. Financial implication:

There would not be any financial implication on this account. Rather, if decision is taken by the Council for granting the additional area on additional licence fee or additional licence fee in other words, it would fetch additional revenue.

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

The guidelines to be given in this regard by the Council would be immediately implemented by the department.

7. Comments of the Finance Department on the subject:

No comments.

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

Not applicable.

9. Legal implication of the subject

There is no legal implication involved on the other hand will reduce litigation.

10. Details of previous Council Resolutions on the subject:

The proposed policy was placed before the Council in its last meeting held on 16.06.2010 vide item no.08 (L-03). The department was directed to scrutinize the legal aspects of the case w.r.t. pending court case(s) and submit the agenda with legal opinion for consideration of the Council in its next meeting. The clarification/report in this regard is enclosed as **Annexure-A (See page 75)**.

11. Comments on the Law Deptt.

Subsequent to discussions in the last Council meeting on 16.6.2010, Law Deptt. has opined that Deptt.'s proposal was to have Council's decision on charging additional licence fee for these re-allocated unit which had a Drug Licence, where additional area is allotted to meet requirement of Drug Control Rule. Reference to court case involved on the subject were already given in the Agenda where reference has been made to such units in AIIMS & Safdarjung Hospitals.

I. The Council is legally competent to give guide lines as to how additional licence fee for such units for additional area be charged.

II. As regards the observations of member about the court cases of shifting of units, it is not a policy decision. Deptt. has stated in the agenda that "normally on reallocation, same area is allotted." Member was referring to shifting of some units where same area of units have not been constructed and licencees have filed petition against NDMC' offer of a smaller area. This issue is not involved in the agenda placed before the Council, but we can give facts of those cases, in the form of a Report. The proposal for guidelines of Council is as per advice of the Law Deptt.

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

Deptt. is in agreement with the opinion of Law Deptt. Further, a report on issue of shifting of units at Udyan Marg is enclosed as **Annexure-A (See page 75)**.

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

There are no guidelines on the subject.

14. Recommendations:

The case is placed before the Council for guidelines to deal with both type of cases (i) Regarding the terms of licence of the relocated units and licence fee to be charged for the extra area to be provided under the relocation scheme (ii) Conditions for grant of permission of licence fee to be charged from existing allottees who are interested to have a drug licence in the existing units. The fee may be as provisions of the Section 141(2) of the Act.

15. Draft Resolution

Considering the facts placed on record, the Council resolves that:

- (a) In cases of units which have been allowed chemist trade, when shifted in public interest should be relocated only to the premises which would meet the requirements Drug & Cosmetic Act, 1945, unless it is technically not feasible, in which case unit(s) could be cancelled and proceeded under P.P. Act for eviction, unless the allottee is himself willing to change his trade. In cases where additional area is provided, licence fee for such additional area be as per Section 141 of NDMC Act and may be fixed on the recommendations of the Committee constituted for fixing Reserve Licence Fee for vacant units on case to case basis and with the approval of Chairman.
- (b) In case of existing units which are interested in change of trade to chemist and fulfill requirements of height and carpet area, only may be allowed change of trade. Licence Fee in such cases should be refixed under Section 141 of the NDMC Act based on the recommendations of the Committee constituted for fixing Reserve Licence Fee for vacant units on case to case basis, with the approval of Chairman. In case the allottee is not willing to pay the revised Licence Fee as above, no change of trade will be allowed.
- (c) 2 months advance Licence Fee and 8 months security deposit may also be revised accordingly in both the aforesaid cases.

COUNCIL'S DECISION

Resolved by the Council to approve the following relocation guidelines :

- (a) In cases of units which have been allowed chemist trade, when shifted in public interest, should be relocated only to the premises which would meet the requirements of Drug & Cosmetic Act, 1945, unless it is technically not feasible, in which case unit(s) could be cancelled and proceeded under P.P. Act for eviction, unless the allottee is himself willing to change his trade. In cases where additional area is provided, licence fee for such additional area be as per Section 141 of NDMC Act and may be fixed on the recommendations of the Committee constituted for fixing Reserve Licence Fee for vacant units on case to case basis, with the approval of Chairman.
- (b) In case of existing units which are interested in change of trade to chemist and fulfill requirements of height and carpet area, only may be allowed change of trade. Licence Fee in such cases should be refixed under Section 141 of the NDMC Act based on the recommendations of the Committee constituted for fixing Reserve Licence Fee for vacant units on case to case basis, with the approval of Chairman. In case the allottee is not willing to pay the revised Licence Fee as above, no change of trade will be allowed.
- (c) 2 months advance Licence Fee and 8 months security deposit may also be revised accordingly in both the aforesaid cases.

ANNEXURE-A

Reference Minutes of the Council Meeting held on 16.6.2010 in connection with Item No.08 (L-03). The department was directed to scrutinize the legal aspects of the case w.r.t. pending Court case(s), if any, and resubmit the agenda with legal opinion for consideration of the Council in its next meeting.

Accordingly, it is clarified as under:

1. The opinion of the Law Deptt. has been incorporated in Agenda.
2. Further, no court case(s) is pending in respect of the policy being proposed or in respect of units on R.K.Ashram Marg. The case(s) being referred to pertain to four stalls at Udyan Marg. Shifting of 12 units (8 small + 4 big) located at Udyan Marg in Gole Market area is under the Streetscaping Project work of Udyan Marg, which is a linked project for beautification of Delhi in connection with the forthcoming Common Wealth Games-2010. None of the unit at Udyan Marg is carrying out the trade of chemist. Besides this, these units at Udyan Marg are also not eligible even for grant of required drug licence under Drugs and Cosmetics Act 1940, in view of their covered area.
3. As far as area difference in existing four big shops viz-a-viz newly constructed big stalls is concerned, the area of these four units when constructed in the year 1987, is as under on the basis of the available record.

a) Two Corner stalls	-	Shop area	-90.84 Sq.ft.
		Loft area	-41.45 Sq. ft.
b) Two remaining stalls	-	Shop area	-87.59 Sq.ft.
		Loft area	-39.87 Sq. ft.

Copy of the report of Civil Deptt. giving area of new units in question is placed below.

The area of newly constructed units was remeasured in the presence of Advocate representing the occupants of these shops also on 07.07.2010 and the following area was found verified;

- | | | | |
|-------------------------|---|------------|--------------|
| a) Two Corner stalls | - | Shop area- | 90.84 Sq.ft. |
| | | Loft area- | 43.25 Sq.ft. |
| b) Two remaining stalls | - | Shop area- | 87.59 Sq.ft. |
| | | Loft area- | 41.70 Sq.ft. |

The above facts clearly reveal that the only issue for these units at Udyan Marg is for projection of fascia for which conscious decision was taken to avoid any possible encroachments at any stage.

ITEM NO. 12 (H-02)**1. NAME OF THE SUBJECT :**

Interim report of the Committee constituted for framing of policy for regularization of left over persons working in the Council on muster roll / contract/ ad hoc basis.

2. NAME OF THE DEPARTMENT:

Personnel Department

3. BRIEF HISTORY OF THE SUBJECT:

(i) In pursuance of the Council Resolution No. 38 (H-8) dated 17.10.2007, a Committee consisting of Shri Mukesh Bhatt, Member, NDMC and Shri Dharmendra, Secretary, (Environment) , Government of NCT of Delhi/ Member, NDMC and including concerned officers was constituted vide Office order No. D-3277/PA/Dir(P) dated 8.12.2009 (**Annexure-I See page 78**) for framing of policy for regularization of left over persons working in the Council on muster roll / contract/ ad hoc basis.

(ii) The Committee is examining the issue in its totality taking into consideration the various Resolutions passed by the Council earlier as well as orders passed by various Courts and submit its report within a period of two months.

(iii) The Committee held two meetings on 03.02.2010 and on 18.03.2010. The Committee has invited the representatives of various Union/ Associations to submit their written suggestions with regard to framing a policy in respect of persons working in NDMC on Muster Roll/Contract/Adhoc basis to Director(Personnel). The Committee further decided that a comprehensive list of all the Muster Roll/contract workers working in different departments of NDMC till date be prepared by the Personnel Department in order of their seniority and a panel be drawn and their deployment henceforth be done by the Personnel Department against all work requirements/vacancies in different department of NDMC. A meeting was chaired by Secretary on 16.7.2010 with various Associations on this issue. It was also decided by the Committee that before finalizing preparation of such list, a draft comprehensive list be displayed on the notice boards at Palika Kendra, Vidyut Bhawan, Bhagat Singh Place including all Civil/Electric/Health/Horticulture Service Centres and objection, if any, be invited and thereafter the list be finalized accordingly.

(iv) The representations of almost all the Associations have since been received by the Department and the same are under examination. The Department has since obtained policy of regularization being followed in the MCD and DJB, which is also being examined. In pursuance of recommendations of the Committee, and discussions held subsequently in the matter, a Circular has been issued on 16.07.2010 (**Annexure-II See page 79**) seeking details from all Head of Departments regarding persons working on muster roll/ contract / ad hoc basis as on 30.06.2010. The information obtained will be placed before the Committee for framing a policy for regularization. The Committee is also examining the legal and administrative issues involved and financial dimensions of such policy for various wings of NDMC.

4. DETAILED PROPOSAL ON THE SUBJECT:

The interim report of the Committee is placed before the information of the Council.

5. **FINANCIAL IMPLICATIONS OF THE PROPOSED SUBJECT:**

The financial implications of the proposal will be considered at the time of regularization of persons as per policy framed by the Committee. Director(Finance) is a member of the Committee and financial issues will be considered accordingly by the Committee/Department.

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

Not applicable.

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

No comments

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

Not applicable

9. **LEGAL IMPLICATIONS OF THE SUBJECT:**

Law Officer is a member of the Committee and the legal issues will be considered accordingly by the Committee/Department.

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

Resolution No. 38 (H-8) dated 17.10.2007
Resolution No. 22(H-4) dated 15/22.07.2009

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

No comments

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

Not applicable

13. **RECOMMENDATIONS**

The interim report of the Committee is placed before the Council for information

14. **DRAFT RESOLUTION**

Information noted.

COUNCIL'S DECISION

Information noted.

Annexure 2 pages

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ITEM NO. 13 (A-16)**1. NAME OF SUBJECT:**

Improvement to community centre, Malcha Marg.

2. NAME OF THE DEPARTMENT:

Civil Engineering Department (BM-PK)

3. BRIEF HISTORY OF THE PROJECT:

Malcha Marg community centre was constructed in 1986-87 by NDMC at Malcha Marg in Chanakyapuri. The building has two floors and a basement. This is used by the residents of the area for their cultural and other functions. The Residents Welfare Association of Malcha Marg and residents of adjoining area has demanded for its renovation and improvement. Accordingly the CA Branch has prepared the drawings for its improvement and renovation after inspection of the community centre and meeting the Residents Welfare Association. On the basis of preliminary architectural drawings issued by the CA Branch NDMC, a preliminary estimate amount to Rs. 1,26,55,000/- is prepared based on DSR 2007 + 14% cost index + 3% contingencies, duly checked by Planning Division. Provision of one new staircase & lift, granite stone cladding in stair case, renewing all the toilets with modern fixtures, granite stone flooring in the central hall, adjacent rooms, improving the outdoor area with cement concrete tiles etc. and demolition of the old stair case have been considered. The existing kota stone flooring is not in good condition, the corners of kota stone slabs have been chipped off and the same is beyond economical repairs, thus the replacement of kota stone flooring has been taken with granite stone flooring. The preliminary estimate amounting to Rs.1,26,55,000/- is submitted for accord of administrative approval and expenditure sanction.

4. DETAILED PROPOSAL OF THE PROJECT:

Major Items considered in the estimate are as per drawings issued by the C.A., NDMC which are as under:-

1. Construction of new staircase.
2. Provision of lift.
3. Granite stone flooring in the central hall and adjacent rooms.
4. Renovation of toilets and kitchen with modern fixtures.
5. Granite stone cladding inside the staircase.
6. Structural toughened glass in the exterior of staircase.
7. Providing cement concrete tiles in outdoor space.
8. Fire prevention and fire safety measures.

5. FINANCIAL IMPLICATIONS OF THE PROPOSED SUBJECT:

Accordingly, a preliminary estimate amount to Rs. 1,26,55,000/- is prepared on the basis of DSR 2007 + 14% cost index + 3% contingencies. Details are as under:

Civil work	Rs. 62,18,273/-
Electric work including lift and Air-conditioning	Rs. 33,77,284/-
Horticulture work	<u>Rs.25,380/-</u>
	Rs.96,20,937/-
14% cost index	<u>Rs.13,69,611.00</u>
	Rs. 1,09,90,548.00
Fire fighting	Rs. <u>12,00,000.00</u>
	Rs. 1,21,90,548.00
Credit for dismantled material (-)	<u>Rs. 35,720.00</u>
	Rs. 1,21,54,828.00
Contingencies	<u>Rs. 5,00,000.00</u>
	Rs. 1,26,54,828.00
	Say Rs. 1,26,55,000.00

6. IMPLEMENTATION SCHEDULE WITH AND TIME LINES:

12 months from the award of the work.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT:

Finance has concurred the proposal vide diary No. R-1600/PS/FA dated 16-7-2010.

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

No comments in view of concurrence of finance.

9. LEGAL IMPLICATION OF THE PROJECT/SUBJECT:

NIL

10. Details of the Previous Council's Resolution, existing laws of Parliament and Assembly on this subject:

NIL

11. Comments of the law Department on this Subject:

NIL

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

NIL

13. Certification by the Department that all CVC guidelines had been followed, while processing the case:

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

14. Recommendations:

The case is placed before the Council to accord Administrative Approval and Expenditure Sanction to the estimate amounting to Rs.1,26,55,000/- for "Improvement to community centre, Malcha Marg". Permission be also accorded to take further action in anticipation of confirmation of minutes of Council.

15. Draft Resolution:

Resolved by the Council that A/A & E/S is accorded to the estimate amounting to Rs.1,26,55,000/- for "Improvement to community centre, Malcha Marg". Permission is also accorded to take further action in anticipation of confirmation of minutes of Council.

COUNCIL DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.1,26,55,000/- for "Improvement to community centre, Malcha Marg".

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

ITEM NO. 14 (A-17)**1. NAME OF SUBJECT:**

Structural Strengthening and Improvement of Chander Lok Building.

2. NAME OF THE DEPARTMENT:

Civil Engineering Department.

3. BRIEF HISTORY OF THE PROJECT:

Chander Lok Building was constructed in 1969 by NDMC at Janpath Road adjacent to Kidwai Bhawan. This building has been leased out to different government organizations and tourist offices. The NDMC is getting revenue from these organisations as rent. The building in its present state requires a lot of repair and strengthening work. The roof of the basement and the columns in the shaft areas on the driveway sides are worst affected. During the inspection of Senior Officers comprising of SE (BM), Director (Estate), SO to Chairman, it was desired that Structural Strengthening and Improvement work shall be carried out. Accordingly a Structural Consultant was appointed for suggesting the strengthening measures. Based on the report of the consultant for strengthening the existing building, the proposal was made and administrative approval accorded by Council.

4. DETAILED PROPOSAL OF THE PROJECT:

The following major items have been considered in this work:

1. Repair / replacement of damaged roof of the basement.
2. Strengthening of columns on the driveway sides, parapet wall in the front rear, intermediate and top of floor.
3. Water proofing in lift shafts adjacent to toilet blocks and expansion joints are to be repaired.
4. Granite Cladding in Staircase in place of fire clay tiles.
5. S.S. railings for handicap persons in the staircase.
6. S.S. Jali in Stilt floor in place of M.S. jali.
7. Replacement of SCI pipes.
8. Providing Concertina coil on existing railing of boundary wall.

PE for Rs.1,92,49,000/- was accorded by Council vide resolution No. 06(A-160) dated 19.03.2010. Accordingly, the tenders were floated after maintaining codal requirement and have been opened on 25.06.2010 through e-tendering process. Two agencies have participated in the tendering process.

The details of the tenders received are as under:-

S.No	Name of Firms	Quoted Amount	% with respect to E.C. of Rs.1,84,40,197.00	Remarks
1	M/s Raghav Engineers	Rs.2,02,27,791/-	9.69 % above	L-2
2.	M/s R.K. Jain & Sons Hospitality Service Pvt. Ltd.	Rs.2,01,91,196/-	9.50% above	L-1

Justification has been prepared and checked by Planning Division as 10.26 % above the estimated cost. The tendered amount by the lowest contractor is 0.69 % below the justified rate.

5. FINANCIAL IMPLICATIONS OF THE PROPOSED SUBJECT:

Total tendered amount is Rs.2,01,91,196/-The expenditure shall be charged to the Budget Provision vide Head of Account "58.412.90.31, item No.5 page 243 of budget book 2010-11.

6. IMPLEMENTATION SCHEDULE WITH AND TIME LINES:

9 (nine) months from the award of the work.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT:

Finance has concurred the proposal vide Diary No.1583/Fin. dated 16.07.2010.

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

No comments in view of concurrence of finance.

9. LEGAL IMPLICATION OF THE PROJECT/SUBJECT:

There is no legal implications.

10. DETAILS OF THE PREVIOUS COUNCIL'S RESOLUTION, EXISTING LAWS OF PARLIAMENT AND ASSEMBLY ON THIS SUBJECT:

Administrative approval and expenditure sanction accorded by the Council vide Resolution No. 06(A-160) dated 19.03.2010 for Rs.1,92,49,000/-.

11. COMMENTS OF THE LAW DPARTMENT ON THIS SUBJECT:

NIL

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

NIL

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

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

14. RECOMMENDATIONS:

It is recommended that the lowest offer of M/s R.K. Jain & Sons Hospitality Services Pvt. Ltd with tendered amount of Rs.2,01,91,196/-which is 0.69% below the justified cost for carrying out the Structural Strengthening and Improvement of Chander Lok Building, may be accepted. It is also proposed to award the work and to take further action in anticipation of the confirmation of the minutes.

15. DRAFT RESOLUTION:

Resolved that the work be awarded to the lowest tenderer M/s R. K. Jain & Sons Hospitality Services Pvt. Ltd at their tendered amount of Rs.2,01,91,196/- (Rs. Two Crore one Lac ninty one thousand one hundred ninty six only) and further action be taken in anticipation of confirmation of the minutes by the Council.

COUNCIL DECISION

Resolved by the Council to award the work to the lowest tenderer M/s R. K. Jain & Sons Hospitality Services Pvt. Ltd at their tendered amount of Rs.2,01,91,196/-.

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

ITEM NO. 15 (C-11)**1. Name of the subject/Project**

Annual Administrative Report for the year 2009-10

2. Name of the Department

Council Secretariat Department

3. Brief history of the subject/project:

As per Section 410 of NDMC Act, 1994 a detailed report of the Municipal Govt. of New Delhi is required to be sent to the Central Government. Section 410 of the Act provides as follows: -

"Annual Administration Report-

- (1) As soon as may be after the first day of April in every year and not later than such date as may be fixed by the Central Government in this behalf, the Council shall submit to that Government a detailed report of the Municipal Government of New Delhi during the preceding year in such form as that Government may direct.
- (2) The Chairperson shall prepare such report and the Council shall consider it and forward the same to the Central Government with its resolution thereon, if any.
- (3) Copies of the report shall be kept for sale at the municipal office."

As the Central Govt. has not prescribed any format for the AAR, or the content, the Annual Administrative Report used to be sent in the form of a letter along with inputs provided by the different departments without any formatting. In the absence of a duly printed report, copies are also not kept for sale, as required under Section 410(3). Since 2007-08, the report has been attempted in a format approved by the Chairman, NDMC.

4. Detailed proposal on the subject/project

The Annual Administrative Report has been prepared keeping in view the specific requirements of Section 410 of the NDMC Act. The Proposed Annual Administrative

report contains the achievements of 2009-10 and targets for 2010-11. In addition, photographs of the important events have been included in the Report. The report contains 30 chapters and is of 100 pages. **A copy of the report is circulated separately.**

5. Financial implications of the proposed project/subject:

Nil

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

N.A.

7. Comments of the Finance Department on the subject:

Finance Department has concurred with the proposal for placing the Annual Administrative Report before the Council vide Dy.No.1466/PS/FA/D/10 dated 30.06.10.

8. Comments of the department on comments of Finance Department

No comments required.

9. Legal Implications of the subject/project.

Nil

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

Annual Administrative Report in respect of NDMC for the preceding year viz. 2008-09 was approved by the Council vide Reso. No.12(C-13) dated 15.07.09/22.07.09.

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

L.A. has seen and concurred vide Dy. No.R-89/PS/IA/10 dated 15.07.10.

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

No comments required.

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

Not applicable.

14. Recommendation:

As per the requirement of Section 410(2) of the Act, the said report is placed for consideration of the Council and approval for forwarding the same to the Central Govt.

COUNCIL'S DECISION

Resolved by the Council to submit the Annual Administrative Report for the year 2009-10 to the Central Govt., after incorporating the suggestions, if any, received within 15 days of passing of this Resolution.

The Council also directed the Secretary and the Financial Advisor to work out preparation of an Annual Action Plan.

ITEM NO. 16 (C-12)**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 June 2010, have been prepared.

A list of the contracts, entered into for the various schemes, is accordingly laid before the Council for information. **(See pages 90-102).**

COUNCIL'S DECISION

Information noted.

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Annexure End

ITEM NO. 17 (C-13)

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 May, 2010, had already been included in the Agenda for the Council Meeting held on 16.06.2010.

A report on the status of execution of the ongoing schemes/works awarded upto June, 2010, is placed before the Council for information. **(See pages 104 - 204).**

COUNCIL'S DECISION

Information noted.

(SANTOSH D. VAIDYA)
SECRETARY

(PARIMAL RAI)
CHAIRPERSON

Annexures

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