

DELHI DEVELOPMENT AUTHORITY
(WORKS ADVISORY BOARD)

No. WAB1 (76)/Vol.42/Secy./V/2024/ 606

Date: 24.7.24

Sub: Minutes of the 5th WAB (2024) Meeting on 09.07.2024-Reg.

The Approved Minutes of 5th WAB (2024) Meeting held on 09.07.2024 at 11:00 AM in the Conference Hall, VC Secretariat, DDA, 1st Floor, B- Block, Vikas Sadan, INA, New Delhi are enclosed here with for favour of information & necessary action.

Encl: As above.

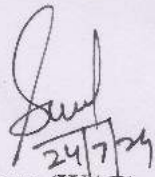
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(Sunil Kumar)
Secretary (WAB)

In Circulation to:
Chief Engineer (Narela), DDA.

Copy to: -

1. OSD to VC, DDA for kind information of the latter.
2. PS to EM, DDA for kind information of the latter.
3. PS to FM, DDA for kind information of the latter.
4. Chief Engineer (HQ & QAC), DDA for kind information.
5. Chief Account Officer, DDA for kind information.
6. Director (Works), DDA
7. AO(Works)- III, DDA.
8. Director (System), DDA for uploading on DDA website (through e-mail).
9. Deputy Director (Hindi Section) for translation in Hindi & uploading on DDA website through Dy. Director (System).


24/7/24
Secretary (WAB)

DELHI DEVELOPMENT AUTHORITY
(WORKS ADVISORY BOARD)

Subject: Minutes of the 5th WAB (2024) Meeting held on 09.07.2024 at 11:00 AM in Conference Hall, VC Secretariat, DDA, 1st Floor, B- Block, Vikas Sadan, INA, New Delhi. (Approved in e-office file no. 82227)

The list of officers who attended the meeting is as under:

Present (S/S)

1. Subhasish Panda	Vice-Chairman	Chairman
2. Ashok Kumar Gupta	EM	Member
3. Vijay Singh	FM	Member
4. Bhawna Gulati	CAO	Member
5. Sanjay Kumar Khare	CE (HQ & QAC)	Member
6. Sunil Kumar	EO-III to EM	Secretary

Others (S/S)

1. Ashwani Kumar	CE (Narela Zone)
2. Manisha Gupta	ACA, VC Office
3. Rajeev Kr Sharma	SE(P&HQ), Narela Zone
4. K.K. Harit	SE/NCC-I/Narela Zone
5. U.C. Meena	SE (Elect.), Narela Zone
6. S.K. Dogra	EE/NPD-9/DDA
7. Sandeep Dubey	EE/NPD-1/DDA
8. Abhishek Khatri	EE/NPD-6/DDA

The agenda note for two items i.e. **To make Payment to agencies on account of deployment of Security Personals for Watch & Ward of 6 Housing Projects in Narela & Ex-Post Facto Approval for Deviation in Agreement Item for the Housing Project in Pocket 1-C in Sector A-1 to A-4 Narela** were presented by the CE (Narela Zone) & discussed.

The item wise discussion is as under:

Item No. 1: Payment of deployment of Security Personals for Watch & Ward of 6 Housing Projects in Narela.

The agenda note of above-mentioned subject was submitted by Chief Engineer (Narela Zone) before 2nd WAB (2024) held on 12.03.2024 for making payment to agencies on account of deployment of security personals for watch & ward of 6 Housing Pockets in Narela mentioned above amounting to Rs. 20,53,98,858/- (Twenty Crore fifty-three lakhs ninety-eight thousand eight hundred fifty-eight only) to M/s B. G. Shirke Const. Tech. Pvt.

Ltd. & Rs. 1,07,54,792/- (One crore seven lakhs fifty-four thousand seven hundred ninety-two only) to M/s Ahluwalia Contracts (India) Ltd. The housing projects under reference were awarded to M/s B. G. Shirke Construction Technology Pvt. Ltd. and M/s Ahluwalia Contracts (India) Ltd. The works were physically completed on extended date of completion. The agency provided security personnel for watch and ward of the completed flats during various shifts for all the 6 housing pockets under reference. The issue of payment for the watch and ward services cropped up for all the above-mentioned projects through six different agreements. CE (Narela Zone) intimated during the presentation that the claim raised by both agencies on this account have been compared with different methodologies and the minimum amount amongst them has been recommended.

The matter was deliberated in 2nd WAB as well held on 12.03.2024, the decision of which is reproduced as under:

After due discussion and deliberation, the board was of the opinion that the payment on account of deployment of the security personnels to both the agencies is quite admissible but to assess & verify the actual expenditure on the security deployment, a Three-Member Committee consisting of Chief Engineer (Rohini), Chief Engineer (North Zone) and Chief Accounts Officer has been constituted.

The mandate of the committee shall be as under:

1. *The present norms being followed by DDA while making payment for watch & ward charges in the recent housing schemes.*
2. *Justification of amount demanded by the agency.*
3. *Whether the concerned agency was executing any other housing projects in the vicinity during the period for which watch & ward charges are being claimed by the agency.*

The Committee will give its final recommendation within a month's time. Agenda was deferred till the report is submitted by the Committee.

The committee so constituted has submitted its final report and was presented before WAB. The findings of said committee with respect to mandate given by WAB are reproduced as under:

1. *The agency (M/s B.G. Shirke Construction Technology Pvt. Ltd.) has claimed Rs. 23.78 Crore and Chief Engineer/Narela has recommended admissible payment amounting to Rs. 20.54 Crore which is found to be in order based on calculation submitted by CE (Narela).*
2. *The agency (M/s Ahluwalia Contracts (India) Ltd.) has claimed Rs. 1.08 Crore and Chief Engineer/Narela has recommended the same as admissible payment amounting to Rs. 1.08 Crore which is found to be in order based on calculation submitted by CE (Narela).*

The committee also asked the concerned EE-in-charge of these completed housing pockets to provide a declaration from M/s B.G. Shirke Construction Technology Pvt. Ltd. and M/s Ahluwalia Contracts (India) Ltd. confirming that the security personnels have been

duly engaged at site during the said defect liability period and that the security personals engaged at the construction sites were not diverted for watch & ward duties in completed housing pockets. The declaration shall also state that M/s B.G. Shirke Construction Technology Pvt. Ltd. and M/s Ahluwalia Contracts (India) Ltd. will bear any consequences arising from a false statement in the declaration. Additionally, M/s B.G. Shirke Construction Technology Pvt. Ltd. and M/s Ahluwalia Contracts (India) Ltd. shall submit their declaration confirming that personals engaged for attending to defects during defect liability period were not deployed for watch & ward duties in completed housing pockets. These declarations shall also state that any consequences arising from a false statement will be borne by M/s B.G. Shirke Construction Technology Pvt. Ltd. and M/s Ahluwalia Contracts (India) Ltd.

CE(Narela) intimated that the EEs concerned have obtained required declarations from both the agencies and has enclosed the same with agenda note.

Decision:

After due discussion and deliberation, the board was of the opinion that the payment on account of deployment of the security personnels to both the agencies can be made under the provisions of contract. The board directed that CE/Narela shall get the verification of payment by both the agencies on account of deployment of security personals for watch & ward of completed housing pockets in Narela.

Item No. 2: Ex-Post Facto Approval for Deviation In Agreement Items

Name of Work : C/o 2128 EWS & 348 Category-II houses on Design & Built basis in Pocket-1C at Sector A-1 to A-4, Narela i/c Internal Development & Electrification.

The agenda note of above-mentioned subject was submitted by Chief Engineer (Narela Zone) before WAB for ex-post facto approval for deviation in agreement items amounting to Rs. 32,36,88,713/- for the work of C/o 2128 EWS & 348 Category-II houses on Design & Built basis in Pocket-1C at Sector A1 to A4, Narela i/c Internal Development & Electrification. The housing project under reference was awarded to M/s Ahluwalia Contracts (India) Ltd. The work was physically completed on extended date of completion i.e. 25.6.2020. The deviation in agreement items amounting to Rs.12,24,42,404/- has already been approved by CE (Narela) (within the power of Rs.15 Cr. delegated to CE) and deviation amounting to Rs. 32,36,88,713/- is further required to be approved. CE (Narela) intimated that the matter is now under adjudication in arbitration and the copy of final bill has been asked, for which approval on deviation statements is required which is a contractual requirement. The relevant clause in the Delegation of Powers-2019 issued vide No. WAB1(76)Vol.41/Secy./2017/DDA/2019/2493 dated 3.9.2019 (P-24 to 27) were referred to which is reproduced as under:

"The Chief Engineer shall enjoy full powers with the prior/in-principle approval of Engineer Member/WAB, if the amount exceeds his normal powers. (i) In case of tenders accepted by the Chief Engineer under his own competency, the prior in-principle approval

for Deviated/Extra/Substituted items beyond powers of CE shall rest with engineer Member only. (ii) In case of tender accepted by Chief Engineer, with prior approval of WAB, for deviation beyond the normal acceptance power of CE, prior in-principle approval of WAB may be taken for the Extra/Substituted/Deviated items. However, EM, DDA will have full powers to accord in-principle approval in all deviation cases where the rates of quantities beyond CE's powers, are limited to agreement rates."

Decision:

After due discussion and deliberation, the board was of the opinion that as per delegation of financial power referred to in this case, EM/DDA is the competent authority for necessary ex-post facto approval for deviation in agreement item in above said work. The board directed CE(Narela) to withdraw this agenda from WAB.

Sd/-
(Bhawna Gulati)
CAO

Sd/-
(Sanjay Kumar Khare)
CE (HQ & QAC)

Sd/-
(Ashok Kumar Gupta)
EM/DDA

Sd/-
(Vijay Singh)
FM/DDA

Sd/-
(Subhasish Panda)
VC/DD