

CIRCULAR No. 215

NON-FINALISATION OF BILLS

It has been brought to my notice that a very large number of bills are pending finalisation in DDA and undue delay is taking place in this regard. This situation is not acceptable and all out efforts must be made to finalise the bills at the earliest.

It is understood that quite a few bills are not being being finalised because of observations/objections raised by the Quality Control Cell or the Chief Technical Examiner. Circular No. 57 issued from the Engineer Member's office vide No. EM1(10)83/5715 dated 7th August, 1984 is, perhaps, being used as a cover for this purpose. This is not what is wanted. While issuing certain guidelines as a matter of precaution, the Executive Engineers were also asked in Circular to take personal interest in getting the observations settled. The clearance of QC/CIE's observations is also the responsibility of the EE & his site staff and delay in finalisation of bills on this account cannot be excused.

Primarily, it is the responsibility of the Executive Engineers and the field staff to execute the work and to ensure that it is done strictly as per technical and contractual conditions. It is for the EE to satisfy himself that the work is being carried out strictly as per the specifications stipulated in the contract and payments are restricted after considering only the work which comes within the criteria of acceptance. The contract spells out various means and methods available to EE to take action against the contractor to get the work done as per quality. The technical sanction indicates the technical parameters. In case, there are some slightly defective portions which can be tolerated, departmental instructions are available which can be invoked with the concurrence of SE who can sanction reduced rates for such items. The administrative instructions also provide the proforma of the letter to be issued to the contractor in such a state where the department can accept such slightly sub-standard work at reduced rates.

All contracts provide for technical examination during and after defect liability period. However, Vigilance at the level of EE and SE in so far as the quality is concerned, is more important and they should take timely

action. Quality ^{Control} ~~Control~~ ^{aspects} ~~aspects~~ ^{projects, all the} ~~projects, all the~~ ^{owed scrupulously.} ~~owed scrupulously.~~ ^{Non-finalisation} ~~Non-finalisation~~ ^{also places the Department in a weak position in Arbitration Proceedings.} ~~also places the Department in a weak position in Arbitration Proceedings.~~ ^{The counter-claims do not get well defined and are left vague.} ~~The counter-claims do not get well defined and are left vague.~~ ^{Also, such counter-claims are rejected by arbitrator as the expert at itself has not made up its mind about the final acceptance of the work in the form of final bill.} ~~Also, such counter-claims are rejected by arbitrator as the expert at itself has not made up its mind about the final acceptance of the work in the form of final bill.~~

The Executive Engineer's responsibility extends to exercise all the provisions in the contract including the work done according to specifications. It is not only the execution but the finalisation of the bill and settling the accounts which also constitute his responsibility. Non-finalisation of bill or undue delay in it will, therefore, reflect upon the Executive Engineer as non-fulfilment of the duties entrusted to him.

Necessary action should, therefore, be taken by all for early finalisation of all pending bills. They should prompt action in getting the CIE's observations settled or use discretion of the CE and SE to settle the bill as per the contract. In any case, this would not be accepted as an excuse for non-finalisation of the bills in future.

It is proposed to have a regular review of the progress of finalisation of bills and poor performance in this regard would be viewed adversely.

V.S. Murti
 2/12
 (V.S. Murti)
 ENGINEER MEMBER.

Copies to:

1. All Chief Engineers, DDA.
2. All Supdg. Engineers/Director(Hort.), DDA.
3. All Executive Engineers/Dy. Director(Hort.), DDA.

DELHI DEVELOPMENT AUTHORITY

No. *EM 1(10)82/51*

Dated 1-1-88

CIRCULAR NO 216

While designing the external services, it is necessary to lay the services in such a way that the maintenance of the services do not become a problem latter. It is observed that some of the important pipes are laid under concrete slabs. Valves are not being provided where they should be. Chambers are being provided where they are not needed. Location/alignment of W.S and Sewers and S.W. drains including cables shall be laid in well thought out lines to avoid interference, pollution or damage during maintenance period. The rain water pipes, the G.I pipes and the Storm Water pipes should be so located as to keep the maintenance possible after construction. While water supply lines should be kept as far away as possible from the sewer lines, they should be so adjusted that the pavement slabs do not cover them permanently. The number of G.I. pipes provided should be so adjusted as to keep the subsequent working easier. Access points should be provided at appropriate places in the G.I. pipes.

Since the areas round houses is small, careful planning is needed and Suptdg. Engineers should see these during inspections. It will be difficult and expensive to correct them, if they are once laid incorrectly.

V.S. Murti
(V.S. Murti)
Engineer Member

All Chief Engineers(2 spare copies)
All Suptdg. Engineers(8 spare copies)
(inc. Electrical)
Director(Hort.).

✓ DELHI DEVELOPMENT AUTHORITY.

NO: EM1(10)22/160

DATED: 5/1/88

SR NO. 217

SUB: Recision of contract.

....

Engineer Member had desired that whenever a work costing more than Rs.5 lacs is rescinded a copy of the recision notice should also be endorsed to R.O.I to E.M. positively. This recision notice is proposed to be kept in the enlistment file of the concerned contractors. These instructions should be followed strictly.

All CEs/SEs/EEs.

P. J. Singh
5/1/88
E.O.I to E.M.
DDA.
47

✓
DELHI DEVELOPMENT AUTHORITY

NO. EM2(115)84/Arbn/ 148.

DATED: 5.1.88.

CIRCULAR NO. 218

SUB: Revised Scale of fees to be paid to arbitrators w.e.f. 1.10.87.

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Revised Scale of fees and terms & Conditions for conducting arbitration cases effective from 1.10.87 approved by VC is enclosed. The applicability of these scale of fees shall be governed as under:-

1. The revised scale of fees shall not be applicable to those cases where all hearings have been completed as on 1.10.87. In such cases the then prevailing rates would apply.
2. The revised scale of fees shall be totally applicable in all cases where no hearings have been held even though the arbitrator has been appointed before 1.10.87.
3. Where some hearings have been held, rates for hearings held after 1.10.87 only would be governed by the revised scale of fees. Fees for 'Study of the case' and the 'maximum amount' shall however be governed by the revised rates in such cases as the study conducted. The fees for the hearing held prior to 1.10.87 shall be governed at the old rates in respect of hearing as well as clerical and miscellaneous expenses on postage and stationery etc.

P.K. Sharma
5/1/88
E.O.1 to E.M.
DDA.

Copy to:

1. All Arbitrators.
2. All CEs/SEs/EEs.

Scale of fees for conducting arbitration cases A.O.I. 1.10.

Amt. of claim.	Fees for of the case/ papers not	Fees for hearing not	Total not exceeding.
Upto 1 lac.	Rs. 1500/-	Rs. 350/-	Rs. 3000/-
Exceeding Rs. 1 lac but upto Rs. 5 lacs.	Rs. 2000/-	Rs. 350/-	Rs. 4000/-
Exceeding Rs. 5 lacs but upto Rs. 10 lacs.	Rs. 2500/-	Rs. 350/-	Rs. 5000/-
Exceeding Rs. 10 lacs but upto Rs. 25 lacs.	Rs. 3000/-	Rs. 350/-	Rs. 6000/-
Between Rs. 25 lacs to Rs. 50 lacs.	Rs. 4000/-	Rs. 350/-	Rs. 7000/-
Exceeding Rs. 50 lacs.	Rs. 5000/-	Rs. 350/-	Rs. 8000/-

- (A) In addition a sum of Rs. 75/- per hearing will be to cover the clerical and miscellaneous expenses postage and stationery.
- (B) Claims means sums of claims plus counter claims ed, distinctly as separate items.

TERMS & CONDITIONS.

1. He will deal with the arbitration cases as may be assigned to him.
2. He will be paid fees for each case as shown in the statement above. The fees will be shared equally between the parties.
3. He will not advise in or accept any case against authority or any case which is likely to affect lead to litigation against the D.A.
4. He will not divulge any information received by the Authority as a panel Arbitrator of the Authority.
5. He will return all the documents and other papers received, by him from the Authority after completion of case.
6. He will not be entitled to appear against the Authority in any proceedings in the court in which he has already given his award.
7. Arbitration proceedings will be held in Delhi.
8. No. TA/DA shall be paid to the arbitrators except out side Delhi, for conducting, arbitration proceeding in Delhi.
9. In the event of any doubt or difference of opinion the decision of the Vice-Chairman, D.A., shall be final and binding.

DELHI DEVELOPMENT AUTHORITY.

NO. EM2(187)577/ARDA/147.

DATED: 5.1.88.

CIRCULAR No. 219

SUB: Defending Arbitration/other Court cases.

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It is necessary that all arbitration cases/ Court cases are defended sincerely with lot of preparation. EEs/SEs should see that the Lawyers get fully briefed with all details; the importance of getting some stays vacated; the public good which is of paramount importance etc. Written briefs shall be given. SEs should personally see that adequate briefing is done. If SEs find that some cases are not adequately defended by our panel Lawyers, they should intimate CEs and CLA, at once. EEs shall not be allowed to be brow-beaten by other party's Lawyers.

Sd/-

(M. S. M. RTI)

ENGINEER MEMBER.

All CEs & SEs (by name).

E.O.I to M.M.

DDA.

DELHI DEVELOPMENT AUTHORITY

No. EM1(10)/93/ 163

Dated: 6.1.88

CIRCULAR No. 220

As per Circular No.65, all CE's were to consolidate expenditure incurred (by Divisions under their control) on various heads & send monthly to E.M.'s office. It is, however seen that neither uniform format is followed, nor data is consolidated at C.E.'s level. Some EEs/SEs are sending it direct to this office.

In partial, modification of above circular, it is therefore decided that, data be consolidated at Zonal level as per format given below. All expenditure cards duly signed by CE/or his F.O. only, must reach EM's Office (E.O.-II to E.M.) latest by 20th of the subsequent month. Direct correspondence from E.F.'s will not be entertained.

V.S. Murti
(V.S. MURTI)
E.M.

Copy to:

All CE's will 16 spare copies for sending to SE's/EE's

Monthly Expenditure Card

Zone.

For Month

Zone

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.
Nazul-I	Nazul-II	Nazul-III	BGDA	BGDA	Deposit	Maintenance	Total	Expon	Exp	Exp
This Upto	This Upto	This Upto	Housing	Commercial	This Upto	This Upto	This Upto	regular	on DL	on DL
Month date	Month date	Month date	This upto	This Upto	Month date	Month date	Month date	Estt.	This upto	This upto
			Month date	Month date				Month	Month	Month

DELHI DEVELOPMENT AUTHORITY.

NO: Sm 1(10)83/369

DATED: 8-1-88

CIRCULAR NO. 221

It is necessary that water supplied from the tubewells in DDA colonies is treated for all the qualities necessary for drinking water. Sometimes the water from the tubewells is directly pumped into quarters and sometimes the water is collected in under-ground tank and then pumped to the various units. In any particular system, it is necessary that the water, before it is supplied, remains in contact with adequate chlorine for atleast $\frac{1}{2}$ an hour. Therefore, the time of application and the quantity of chlorine content should be regulated to achieve this $\frac{1}{2}$ an hour contact at the beginning and also residual chlorine content at the end within the permissible limits. All the Suptdg. Engineers, are requested to kindly instruct the various officers to ensure the two above aspects systematically and regularly.

Sd/-

(V.S.MURTI)
ENGINEER MEMBER.

Copy to All Chief Engineers/Suptdg. Engineers.

P.K. Sharma
8/1/88
E.O.I to E.M.
DDA.

POWER DEVELOPMENT AUTHORITY

No. EM2(61)87/Arbn./1684-1760 Dated: 25/2/88

CIRCULAR NO: 222

The following points need the attention of the Executive Engineers so that they can put up effectively the cases for arbitration if at all claims crop up later:

1. It has been seen that the provisional rates sanctioned during running bills differ considerably from the final rates approved by the competent authority. While giving provisional rates during the course of the work, the Executive Engineer should see that the rate allowed in no way exceeds the rate that is likely to be approved by the competent authority. At any rate the provisional rates at a higher level shall not be given continuously for a number of bills. Extra items or substitute items should be got approved by the competent authority quickly. It is not necessary that the Executive Engineer exhausts his powers for sanction of extra or substitute items in the first instance before he goes to SE or CE. He should start sending the cases to SE or CE even in the first instance after exercising a part of his powers.

2. When defective work is noticed, it should be made clear to the contractor the nature of defects and in special cases also inform the contractor that the work is provisionally allowed subject to appropriate deduction in rates. In such cases the rate provisionally allowed shall be well within the margin and in any way the defective work shall be either got redone, corrected or accepted at reduced rate by giving a clear notice to the contractor.

3. The word 'penal rate' is being used for recoveries. It would be desirable to avoid using the word 'penal rate'. The word like 'additional recovery as per particular clause of the contract' would be preferable. Letters to be written to the contractor to keep his wastage within control and letter intimating the contractor about our intention to make additional recoveries as per relevant clause of the contract would be more justifiable to strengthen the cases.

NO. E.M.1(10) 83/2731

240
Dt/4-3-88

Circular No. 223

This office is granting exemption from payment of earnest money in individual cases to contractors after a bond is executed by the contractor with the department and on deposit of certain fixed amounts. As per the bond conditions the contractor is required to deposit 2% of the estimated cost of work as Earnest Money immediately on acceptance of the tender. Further 7% are to be deducted from the amount of bills as Security payable subsequently.

The above provisions are brought to the notice of all the officers to ensure that once a work is awarded to a contractor, the earnest money must be got deposited from the contractor.

Sd/-

15/3/88

(V.S. Murti)
Engineer Member

Copy to:-

1. All C.Es.
2. All SEs & Dir. (Hort.).
3. All EEs and Dy. Directors (Hort.).

DELHI DEVELOPMENT AUTHORITY.

✓
NO. EB(8)85/NZ/PP/ I/ 37c4-10

DATED: 14.3.88

CIRCULAR NO. 224

SUB: Representation from the Residents Welfare Associations.

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Hon'ble Lieutenant Governor, Delhi in one of the above cited subject has desired that the system of periodic meeting of such Residents Welfare Association with the Chief Engineers may be institutionalised and follow up action must be reviewed. Due publicity may also be given to the system both-through the press and appropriate sinagages etc. at site.

This issues with the approval of E.M.

Who signed
14.3.88
E.O. II to E.M.
DDA.

All Chief Engineers
and Director(H).

✓
DELHI DEVELOPMENT AUTHORITY.

NO. EM5(258)72/5386

DATED:

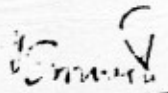
CIRCULAR: No 225

SUB: Following of architectural drawings during execution of the work.

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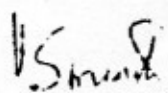
A case has come to the notice of this office wherein one E.E. did not follow the drawing issued by the Architect and made some changes in the layout of his own. The EE should not have made any change in the layout unless there were special constraints at site. Even so he should have consulted the Architect before making such changes even if they were needed at site. It is essential that drawings issued by the Architects are strictly followed at site. No changes in drawings issued by Architects shall be made at site unless there are special field constraints and prior approval of such change is obtained from the Architects. These instructions shall be strictly followed by all in future. Any change made in Architect's drawing without his prior approval shall be viewed seriously and the Engineer making such change will be held personally responsible.

Any controversial issues may be seen by CEs and sent to E.M. for decision, if necessary.


ENGINEER MEMBER.
D.D.A.

Copy to:-

1. All Chief Engineers.
2. The Chief Architect/Additional Chief Architect/DDA.
3. All SEs(Civil & Electrical) with five spare copies for sending to their EEs.


4/5/6
ENGINEER MEMBER.
D.D.A.

DELHI DEVELOPMENT AUTHORITY

No. 1 (19) 88/5247-51 Pt., the 29th April 1988

CIRCULAR 227 2/5/88

Sub: Testing of sewer lines and water supply lines.

Repeated instructions were given about precautions to be taken for protecting the side walls of trenches dug up for sewer lines. Repeated instructions were given about the need for testing the sewer lines, keeping the record of the test and counter signature by the competent officer before the actual filling is allowed. Instructions were already given about method of filling in layers so that abnormal settlement does not take place.

In spite of the instructions the undersigned has witnessed a case of sewer line which was being done again because of some problems with earlier sewer. The mistakes are being repeated even at this stage and the trench was not provided with shoring and testing was not done nor recorded but refilling has started on a big scale.

I would like to repeat the instructions here that if instances of such nature are seen in future, the undersigned will have no other alternative except recommending the suspension of the EE and any other officer who has shown dereliction of duty. This message may please be communicated to all the SEs, EEs and AEs for strict compliance and I hope that there will be no necessity to resort to serious punishment of officials.

V.S. Murti

(V.S. Murti)
Engineer Member

All Chief Engineers (by name)

CIRCULAR-226
(Not issued)

125-625/28(11)-3

2/5/88

Delhi Development Authority

NO: EM1(10)83/8355

Dt: 30/6/88

Circular NO: 228

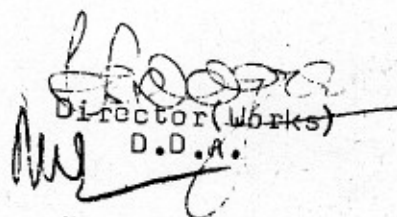
Sub: Earnest Money

This office is granting exemption from payment of earnest money in individual cases to contractors after a bond is executed by the contractor with the department. The orders to this effect are issued by this office. The contractors should invariably be asked to produce such orders to ascertain the validity and exact number of bond.

Similarly wherever earnest money is proposed to be forfeited the divisional officer should specifically state so to this office.

The above instructions should be followed meticulously by all Executive Engineers.

This issues with the approval of Engineer Member.


Director (Works)
D.D.A.

Copy to:-

All CEs, SEs & EEs, DDA.

Delhi Development Authority

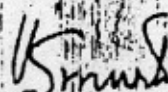
NO:EM.1(10)03/2488

Dt:30.6.87

Circular NO. 229

As per provisions contained in para 34-35 of section-2 CPWD Manual Vol.II it is permissible for competent Authority to accord Technical Sanction to the works before receipt of expenditure sanction. Technical Sanction should be given by the competent authority before work is taken in hand. In case of revised estimate it is not necessary to wait for revised A/A or revised E/S to accord revised T/S.

From the above, it is clear that no work should be taken up which has not been technically sanctioned. In fact, the details in tender document shall take into consideration the work as envisaged in a well considered technical sanction. Whereas generally T/S is accorded after accord A/A and E/S, in some cases it may be necessary to accord T/S to facilitate calling competitive tenders. Thus whether A/A & E/S is accorded or not T/S must be accorded if any work is to be taken up for construction. This may please be brought to the notice of all Engineers.


5/7/88
Engineer Member.

DDA

To

All CE_s/SE_s/EE_s.

DELHI DEVELOPMENT AUTHORITY.

NO. EM1(10)83/10098

DATED: 27.7.88.

CIRCULAR NO. 230

SUB: Recording of completion certificate by SE's/EE's.

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It has been reported that some SEs/EEs have not recorded completion certificate though the work was completed within their tenure. This delays finalisation of bill, sanction of extension of time and other related items.

It is enjoined upon all SEs/EEs that while handing over charge to their successors completion certificates in respect of works completed during their tenure are recorded by them as prescribed in CPWD Manual Vol. II. EE shall inform the SE within 15 days of the completion of the work who shall inspect the work and record the completion certificate. In case the EE is not able to inform SE in time, the next SE who is holding charge of work will record completion certificate after inspecting the work, and also after going through the previous reports of CTE, CE(QC) and audit paras etc. In other words, the present SE/EE cannot refuse to record such certificate.

There may be a tendency among SEs/EEs to postpone recording the completion certificate until they are transferred. All cases where SE/EE have not recorded completion certificate during the time the work was completed, the present SE/EE may bring this fact to the notice of the CE. The CE may take action, if he so decides, against the SE/EE who has delayed & not recorded such a valid certificate intentionally. CE can ask the present SE/EE to record certificate of completion after taking necessary steps, as stated above.

These instructions shall be followed strictly by all CEs/SEs, EEs in future.

V S murti
26/7.88

(V. S. MURTI)
ENGINEER MEMBER.

1. All Chief Engineers.
2. All SEs(Civil & Elect.).
3. Dir.(Hort)-North & South.
4. All EEs(Civil & Elect.).
5. All Dy. Directors(Hort.).
6. P.S. to V.C. for information.
7. P.S. to F M. for information.

ENGINEER MEMBER.