



**National Institute of Technology
Rourkela**

MINUTES

**43rd Meeting of
Building & Works Committee**

DATE : 21st JANUARY, 2022 (Friday)
TIME : 10:30 A.M.
VENUE: Board Room, NIT, Rourkela



राष्ट्रीय प्रौद्योगिकी संस्थान, राउरकेला
National Institute of Technology, Rourkela

43rd Building & Works Committee, National Institute of Technology, Rourkela, held on
21.01.2022 (Friday) at 10.30 AM in the Board Room & MS TEAM (online) of the Institute

Members Present

1. **Prof. S. Panigrahi**
Director & Chairman, BWC (I/c)
NIT, Rourkela
2. **Shri Indrajit Kuri (online through MS TEAM)**
Under Secretary, TS-III (NIT Desk)
Ministry of Education,
Room No. 435, C-Wing
Shastri Bhawan, New Delhi- 110001
3. **Shri Anil Kumar (online through MS TEAM)**
Director, Finance
Ministry of Education (Shiksha Mantralaya), Government of India,
Department of Secondary & Higher Education,
Shastri Bhawan, New Delhi - 110001
4. **Shri Rakesh Kumar Shah**
DGM, Power Distribution
SAIL, RSP, Rourkela
5. **Prof. Swadesh Kumar Pratihari**
Professor, Ceramic Engineering & Member, BOG
NIT, Rourkela
6. **Prof. Pradip Sarkar**
Professor, Civil Engineering & Dean (PD)
NIT, Rourkela
7. **Prof. Pradip Kumar Das**
Registrar & Secretary, BWC,
NIT, Rourkela

Invitees Present

8. **Prof. B. Mandal**
PIC (Civil Const.), NIT Rourkela
9. **Prof. R. N. Behera**
PIC (Civil Maint.), NIT Rourkela
10. **Prof. S. Karmakar (online through MS TEAM)**
PIC (Elect. Const.), NIT Rourkela
11. **Prof. A. Sengupta (online through MS TEAM)**
PIC (Elect. Maint.), NIT Rourkela

12. Prof. M. K. Moharana (online through MS TEAM)

PIC (HVAC), NIT Rourkela

13. Shri J. Mondal, HOD (EM)

Executive Engineer, Estate, NIT Rourkela

Members & Invitees Absent

14. Shri Subhransu S. Satpathy

GM, Design (Civil)

SAIL, RSP, Rourkela

15. Shri B. K. Pati

Executive Engineer

PWD, Uditnagar, Rourkela.

16. Shri R. K. Sahoo

Executive Engineer, Estate, NIT Rourkela



राष्ट्रीय प्रौद्योगिकी संस्थान, राउरकेला
National Institute of Technology, Rourkela

Minutes of the 43rd Building & Works Committee, National Institute of Technology, Rourkela held on 21.01.2022(Friday) at 10.30 AM in the Board Room/VC of the Institute.

A) GENERAL AND PROCEDURAL MATTERS.

BWC:43(2022)-01: Welcome to the members by the Chairman of the BWC.

The Director and Chairman, BWC welcomed all the members to the meeting.

BWC:43(2022)-02: Confirmation of the minutes of 42nd Meeting of the BWC held on 20.09.2021.

The minutes of the 42nd Meeting were sent to the members and no comments were received from the members.

BWC confirmed the minutes of 42nd BWC meeting with some modifications, as suggested by Dean (PD) as follows:

- a) ***The resolution for the Agenda No. BWC:42(2021)-03 may be read as "Registrar presented the favorable award for the Institute by the Arbitrator, Hon'ble Justice A. K. Parichha. However, BWC deferred this agenda item until the settlement of dues of M/S SPCPL is fully resolved." instead of "Registrar presented the favorable award for the Institute by the Arbitrator, Hon'ble Justice A. K. Parichha and it was noted."***
- b) ***The resolution for the Agenda No. BWC: 42(2021)-04 may be read as "The Dean (PD) presented the committee report in connection with the settlement of final dues of Major Project Phase-II. Registrar presented a letter received from M/S SPCPL dated 09.09.2021 on the same subject." instead of "The Dean (PD) presented the committee report in connection with the settlement of final dues of Major Project Phase-II along with the letter received from M/S SPCPL dated 09.09.2021."***
- c) ***In item no. BWC:42(2021)-05, dean (PD) brought to the notice of the members that the estimated cost of the project of Lounge and Gallery for FTBI of Rs.30,10,200/- which is submitted by CPWD Sambalpur needs the approval of FC as per circular no. NITR/RG/M/2021/0662, dated:25.08.2021. But the BWC decided that as the estimate exceeds beyond 30 Lakhs by an amount of Rs.10,200/-, the, CPWD to be informed to limit the estimate within Rs.30 Lakhs by dropping of some of the minor items. BWC approved this project with the estimated cost of Rs.30 Lakhs. Based on this approval a sanctioned letter to be issued to CPWD Sambalpur for their further necessary action.***

[Annexure - A1, Page No.7(a) - 9(a)]

BWC: 43(2022)-03: Settlement of final dues of M/s SPCPL for Major Project Phase-II.

The matter of release of retention money and initial security deposit of Major Project Phase-II in favour of M/S SPCPL was placed in the 71st BOG (refer BOG 71(2020)-04). After the discussion, BOG advised the institute to wait till the end of the arbitration proceedings and directed to bring the matter back before the FC for further decision after the completion of arbitration.

The said arbitration proceeding is now completed and Hon'ble Justice A. K. Parichha, the sole arbitrator passed a 'Nil' award in favour of M/S SPCPL, the claimant (Copy of order enclosed). With reference to the above, an internal committee was constituted to look after the following points before placing the matter in FC again: (a) Settlement of final bill, (b) Release of retention money and initial security deposit, (c) Imposing of liquidated damage and (d) Rectification works.

The committee submitted the report on 16.08.2021 and the same was place in 42nd BWC. In the meantime, M/s SPCPL requested for amicable resolution of all pending issues vide their letter no. SP/CAL/3000/2021-22/132 dated 09.09.2021. During the discussion at the 42nd meeting of the BWC, Shri A. Kumar, Director (IFD) informed that, since the committee has not taken into consideration the letter received from M/s SPCPL dated 09.09.2021, this matter will be discussed after the committee reviewed the letter. The committee reviewed that letter and the specific recommendation against the proposal given by M/s SPCPL are as follows:

- a) Immediate release of expired Bank Guarantees with bearing No. 61410IGL0032013 and 61410IGL0013314
Recommendation of the committee: Recommended
- b) Immediate release of Earnest Money deposit held in the form of Security Deposit worth ₹ 20,00,000/-
Recommendation of the committee: As it is a part of Security Deposit clarification/recommendation has been given in Point# d below.
- c) Release of works executed worth ₹ 4,29,63,634/- (excl. taxes) as submitted in letter dated 17th August 2020.
Recommendation of the committee: Recommended subject to the submission of 'No Dues' and 'No Claim' certificates by M/S SPCPL.
- d) Release of Cash Retention (Security Deposit) worth ₹ 23,91,59,444/- and interest thereof as per provision of Clause 6 of Contract Agreement dated 3rd April 2013.
Recommendation of the committee: The Security Deposit constitutes the Cash Retention of ₹ 23,91,59,444/- and Earnest Money deposit of ₹ 20,00,000/- (i.e., ₹ 24,11,59,444/-).
As per the verdict of the honourable Arbitrator of Odisha High Court, M/S SPCPL is responsible for the delay of this project. Hence, the LD applicable to M/S SPCPL @ 5% of the contract value under Clause 19 of Contract Agreement which amounts ₹ 15,14,11,993/- is to be deducted from the above Security Deposit.

In addition, ₹ 5,00,00,000/- may be kept on hold from the Security Deposit as defects liabilities which will be refunded to M/S SPCPL if they successfully attend all the notified defects within the stipulated time. The balance amount of ₹ 3,97,47,451/- from the Security Deposit may be released as per the terms of the Clause 6 of Contract Agreement.

- e) Furthermore, as per the verdict of honourable Arbitrator, Odisha High Court M/S SPCPL is not eligible for any payment due to Price Variation Adjustment.

Chairman BWC requested Dean (PD) to initiate the discussion with regards to the above said agenda & he brought to the notice of the members that the project manager of M/s SPCPL was informed vide letter no.NITR/RG/2020/L/0538, date:19.08.2020 to attain the office for discussion and reconciliation of the bill in conformity of the contract. As informed by HOD (EM), there was a meeting on 21st August with the officials of M/s SPCPL and the form for 'No Dues' and 'No Claim' certificates was handed over to the officials from M/s SPCPL. But so far the office of EM has not received that 'No Dues' and 'No Claim' certificates from the construction agency.

Hence, the BWC decided the payment of Rs.4,29,63,634/- (excl. taxes) to be paid to M/s SPCPL once 'No Dues' and 'No Claim' certificates are received from the construction agency.

With regards to release of Security Deposits as mentioned in the agenda note it was decided once the agency attend to the defects in the building, the release of final claims to be considered. Hence, this matter need not to be placed in the next FC at this stage rather to be placed in the next BWC meeting for further course of action from the Institute side.

[Annexure – A2, Page No.10 - 31]

A) APPROVAL FOR PROJECTS: (PART- 'A')

BWC: 43 (2022)-04: Proposal for New Projects.

1) Laying of new CI Line from Campus Pump house to Puspa Pond.

The existing CI line from the campus pump house to Puspa pond was laid 22 years ago. It is the main supply line for hostels and academic areas. The line has been damaged in several places due to the growing roots of nearby trees. Since this line has to withstand significant water pressure, it needs to be repaired very frequently. This line is still managing its operation as the hostels are not running with their full student strength. In this situation, it is proposed to replace the existing CI line with a new CI line before students return to the hostels. The cost of this work is estimated to be Rs.32 lakhs (including GST). It is proposed to invite an open tender through an online portal to carry out this work.

The proposal was recommended by BWC to FC for its approval.

[Annexure – A3, Page No. 32 - 33]

2) Budget Provisions for Civil and Electrical maintenance work.

Detailed Expected expenditure for routine Civil and electrical maintenance work for the FY 21-22 (Q4) and FY 22-23 is placed to BWC for approval.

SI No.	Purpose	FY 2021-22 (in Lakhs)	FY 2022-23 (in Lakhs)	Head
1.	Civil Maintenance AMC	113.1	598.62	OH-31
2.	Electrical Maintenance AMC	183.9	609.99	
3.	Civil New Work	0	194	OH-35
4.	Electrical New Work	30.70	0	

BWC recommended to FC for approval.

[Annexure – A4, Page No. 34 - 37]

3) Details of the payment recommended after 13.01.2021.

- (i) The following amount of Civil/ Electrical work, under OH-31 & OH-35 have been carried out and are placed for the information of BWC.

SI. No.	Purpose	Recommended for payments (Rs. in Lakhs)	W.Os Date.	Head of A/c
1	Civil maintenance	575.9	W.Os are placed before 13.01.2021* based on approval of Director/BWC/FC with the then prevailing financial power with Director BWC and FC	HEAD -31
2	Elect. maintenance	22.67		
3	Civil construction	0		HEAD-35
4	Elect construction	0		
SI. No.	Purpose	Recommended for payments (Rs. in Lakhs)	W.Os Date	Head of A/c
1	Civil maintenance	106.77	W.Os are placed after 13.01.2021* based on approval of /BWC/FC	HEAD -31
2	Elect. maintenance	0		
3	Civil construction	0		HEAD -35
4	Elect construction	119.67		

*The effective date of enforcement of limitation of financial power to Director for Civil/Electrical work.

BWC recommended to place the above list in FC as a noting item.

- (ii) The following amount of Civil/ Electrical work, under OH-31 & OH-35 have been carried out and are placed for kind approval of BWC. (The list of work is attached as Annexure-A5)

Sl No.	Purpose	Recommended for payments (Rs. in Lakhs)	W.Os Date	Head of A/c
1	Civil maintenance	37.08	W.O. placed after 13.01.2021 which need post facto approval.	HEAD-31
2	Elect. maintenance	63.32		HEAD-35
3	Civil construction	0		
4	Elect construction	0		

BWC approved the above works.

[Annexure – A5, Page No. 38 - 42]

- B) APPROVAL OF BOQ AND ESTIMATE FOR TENDERING NEW PROJECT [PART 'B']: NIL
 C) APPROVAL OF TENDER FOR AWARD OF WORK [PART 'C']: NIL
 D) DEVIATION, EXTRA ITEMS FOR VARIOUS WORKS & POINTS FOR INFORMATION OF BWC [PART-'D']: NIL

BWC: 43(2022)-05: Review of ongoing Projects.

A report on the progress of ongoing projects is enclosed for perusal of the committee.

- i) **Participating in the discussion, Dean (PD) drawn the attention of members about the slow progress of project (Sports Complex and Common Facilities & Academic Building at Bhubaneswar), funded from HEFA Loan, which have been entrusted to CPWD as depository work. At the same time the MoU signed with CPWD restricts the Institute to monitor the quality of the work by EM department. The member from Ministry told CPWD is a Central Government organization and they follow stipulated rules, regulations and come under the purview of audit. BWC suggested trying to resolve CPWD related issues first through their local offices, if not resolved the institute may consider contacting their higher office.**
- ii) **The increase of cost of two number of Lawn Tennis Court and one Basketball Court to Rs.1,15,76,575/- from Rs.98,21,700/- (the submitted estimate) was discussed. Dean (PD) informed that the executing agency, CPWD, Sambalpur has not taken due approval for such deviation in the cost of the project. Member from Ministry suggested that the initial approved estimate of the project shall be paid to the agency as the completion of the project has been done by 10.07.2021. With regards to deviation amount in the cost of project, at Institute level decision may be taken by forming a committee, headed by the Director.**

[Annexure – A6, Page No. 43 - 48]

BWC: 43(2022)-06: To Report on the action taken on the decisions made in the previous BWC's.

SL. No.	Description of work/issues	Estimated Cost	BWC resolution	Present Status
1	Construction of a Sewerage Treatment plant for the institute	4 Crore	BWC-29(2017)-06-8	Not taken up due to crunch of fund
2	Tile flooring for Homi Bhaba Hall	37.75 Lakhs	BWC-31(2018)-06-4	Not taken up due to crunch of fund
3	Installation of Additional Transformer in SS-8 and SS-2	61.29 Lakhs	BWC-31(2018)-06-6	Not taken up due to crunch of fund
4	Procurement of 3x750 KVA DG set for Hostel and Academic area	3 Crore	BWC-32(2018)-06-5	Not taken up due to crunch of fund
5	Safety of Electrical Science building, Bio-medical and FR building	Not estimated	BWC-33(2019)-06-03	A DPR needs to be prepared by appointing an expert agency, which requires approximately Rs. 20 lakhs
6	Release of Security deposit of M/s UPRNN for Major Project Phase-I	6.04 Cr.	BWC-33(2019)-07-03	A committee was set up on this issue in July 2021.
7	Purchase of Electrical Cables to meet emergency	30 Lakhs	BWC-39(2020)-05	Not taken up due to crunch of fund
8	Mandatory Low Voltage (LV) spares for Low-tension network (LT) in academic areas.	36.24 Lakhs	BWC-40(2021)-05-02	Not taken up due to crunch of fund
9	1000 seated Hostel under term loan proposed from HEFA under window-IV	35 Crore	BWC-40(2021)-04	Detailed Project Report was already sent to the Ministry
10	Provision of APP membrane hydro insulation on Roof Top of residential quarter (Phase-II)	1.78 Crore	BWC-41(2021)-03-01	Not taken up due to crunch of fund
11	Extension of Structural Engg. Lab.	19.54 Lakhs	BWC-42(2021)-05-03	Planned to be executed in next financial year

- i) Initiating the discussion, Dean (PD) stated that there are some proposals which were approved by BWC in the years 2017-2021, but due to fund crunch the proposal under serial no.1,2,3,4,7,8,10 of the above table have not been taken up. Dean (PD) highlighted that if some of these projects are not implemented urgently, the campus community will face major problems in the near future. Members from Ministry advised those old proposal need to be placed with detail estimation.**

- ii) **With regards to release of security deposit of M/s UPRNN Ltd. for Major Project Phase-I, stated in serial no.6 of above table, it was decided to wait for the recommendation of the committee formed for this purpose.**
- iii) **Dean (PD) brought to the notice of all members that the CPWD is engaged at present for two projects, one is at NIT Campus and another one is at Bhubaneswar. But the progress of the work is not satisfactory and the MOU with CPWD for the work gives little scope for monitoring the quality of work. Therefore, Dean (PD) proposed to engage any Public Sector Undertaking established by the Central or State Government to carry out the project in serial no.9 of above table under the provision of Rule 133 (3) of GFR-2017. It is proposed to invite an open tender through an online portal to carry out this work to ensure competition among such PSUs/Organizations as recommended by GFR-2017. BWC recommended this proposal to the FC for approval.**
- iv) **Due to paucity of Government of India grant under OH-31 & OH-35, member from Ministry advised to meet the fund requirement for such work of priority (including the works under serial no.1,2,3,4,7,8,10 of the above table) by opting term loan from HEFA, if IRG permits.**

BWC: 43(2022)-07: Any other item with the permission of the chair.

1. **Dean (PD) brought to the notice of all members that some electrical and civil maintenance work, if not addressed immediately, can cause inconvenience, injury, a threat to health, or serious property damage. During the recent COVID pandemic lockdown when all work was stopped or done from home, civil and electrical maintenance work in the campus was executed in physical mode, along with some other services. BWC-31(2018)-06-02 has already approved the proposal to designate the electrical and water supply personals as emergency staffs, although this has not yet been implemented in practice. Dean (PD) proposed that the Estate Maintenance department be declared an emergency department to ensure a better functioning of the maintenance service. Although it will slightly increase the financial responsibility of the institute, it will help to significantly improve the quality of service.**

During deliberation on the subject matter, the member from the Ministry told that the BWC has already approved this proposal. Therefore, it should be discussed internally to resolve this issue.

 10.05.2022

(Prof. P. Sarkar)
Dean (PD) & Member of
Building & Works Committee

 10/5/2022

(Prof. R. Dhiman)
Registrar & Secretary
Building & Works Committee

 10.5.22

(Prof. K. Umamaheshwar Rao)
Director & Chairman
Building & Works Committee

For circulation.