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**DIRECTORATE OF AUDIT
GOVERNMENT OF N.C.T. OF DELHI
4TH LEVEL, C-WING, DELHI SECTT,
I.P. ESTATE, NEW DELHI-110002**

Sub:- Audit report of Commonwealth Project Division CW-111 for the period from 2007-12.

INTRODUCTION:-

The I.A.R. on the accounts of Commonwealth Games Project Division for the years 2007-12 was conducted by field Audit party No.V, Comprising of Sh. K.B. Grover, IAO and Sh. Krishnan Kutty, A.A.O. The audit was conducted during 34 working days w.e.f. 08.11.12 to 27.12.12. The A.G. Audit has conducted the audit of this office upto 2008-09.

AIMS AND OBJECTIVES

The division was came into existence for providing infrastructure for Commonwealth Games 2010.

HEAD OF DEPARTMENT:

S. No.	Name of the officer with designation	Period
1	Shri B.N. Nagaraja, Chief Engineer	01.04.2007 to Aug. 2008
2.	Shri B.B. Bhatia, Chief Engineer	Aug. 2008 to 27.01.2012
3.	Shri S.A. Khan, Chief Engineer	Jan. 2012 to June 2012
4.	Shri Dinesh Kumar, Chief Engineer	July 2012 to Nov. 2012
5.	Shri S.K. Srivastava, Chief Engineer	Nov. 2012 to till date

HEAD OF OFFICE

S. No.	Name of the officer with designation	Period
1	SH. Priyank Mittal , EE, CW-111	01.04.2007 to 19.03.2011
2.	SH. V.K. singh, EE, CW-111	19.03.2011 to till date

HEAD OF ACCOUNTS SECTION:-

S. No.	Name of the officer with designation	Period
1	Shri B.S. Varadaraju, JAO	01.04.07 to 03.07.07
2.	Shri Sunny K.P. , JAO	03.07.07 to 08.09.08
3.	Shri S.S. Dhingra, JAO	Jan. 09 to June 09
4.	Shri Rajan M.J., AAO	June 09 to Sept. 2010

CASHIER

S. No.	Name of the officer with designation	Period
1	SH. Kushal Chand, UDC	01.04.2007 to 23.08.2011
2.	SH. SatishKaushik, UDC	23.08.2011 to till date

Budget allocation and Expenditure for the year 2007-12:-

Year	Major Head/ Sub- Head	Budget allotted (Rs. In Lakh)	Expenditure (Rs. In Lakh)	(-) Saving (+) Excess
2007-08	5054 BB 11(1)(3) (R & B)	85.00	83.18	(-) 0.71
	4059 office bldg. bb 2(1)(2)(1)	6.00	0.11	(-)5.89
2008-09	5054 BB 11(1)(7) CWG	24300.00	24282.74	(-)17.26
2009-10	5054 BB 11(1)(7) CWG	19100.00	19089.53	(-)10.47
	5054 BB 11(1)(5) JNNURM	19900.00	19896.26	(-)3.74
2010-11	5054 BB 11(1)(7) CWG	3624.00	3629.14	(+)5.14
	5054 BB 11(1)(5) JNNURM	17125.00	16282.12	(-)742.88
2011-12	5054 BB 11(1)(7) CWG	854.00	853.71	(-)0.29
	5054 BB 11(1)(5) JNNURM	2488.00	2487.14	(-)0.86
	5054 BB 11(1)(8) JNNURM-DTTDC	965.00	965.00	0

Statutory Audit:-

Statutory audit of PWD, CW-111, GNCT of Delhi upto 2008-09 was conducted by AG (Audit) Delhi.

Vacancy statement:- All staffs are working in diverted capacity. Administrative control of staff is with the office of Chief Engineer F-1

Sl. No.	Name of Post	No. of Posts Sanctioned	Filled	Vacant
1.	Group A	}	Not applicable	
2.	Group B			
3.	Group C			
4.	Group D			
	Total			

Maintenance of Records:-

The maintenance of records of CW-111, PWD, GNCTD for the period 2007-12 was found satisfactory subject to observations made in Current audit report and in test audit note.

Old Audit Report

1st Audit of Division

Current Audit Report

During the course of current audit, 30 audit memo's highlighting various irregularities/short recovery to the tune of Rs.1,13,29,941/- were issued. Department has shown compliance of 4 audit memo's as such 4 memos were dropped on the spot. The remaining memos were converted into 19 paras and recovery of Rs.1,13,29,941/- have been incorporated in current Audit Report.

Details of Current Recovery (Audit period 2007-12)

Para No.'s	Total Recoveries (in Rs.)	Amount Recoveries	Balance (In Rs.)
1	43,00,000/-	NIL	43,00,000/-
4	70,29,941/-	NIL	70,29,941/-
Total =			1,13,29,941/-

The internal audit report has been prepared on the basis of information furnished and made available by the Executive Engineer, CW-111, PWD. The Directorate of audit, GNCTD of Delhi disclaims any responsibility for the misinformation and / of non-information on the part of auditee.

Discussion please.

Aud
28/12/12

EXECUTIVE ENGINEER
CW-111, PWD, (GNCTD)
Near Gate No. 8, JLN Stadium
MCD Parking Side
New Delhi-110003

KB
20/12/12
(K.B. GROVER)
IAO, Pany-V

Para No.1

(Ref. Memo No. 12 dt. 03.12.2012)

1. Name of Work : **Construction of Foot Over Bridge (2 Nos.) at Jawaharlal Nehru Stadium.**
2. Agreement No. : 02/EE/CW-111/PWD/GNCTD/2009 10
3. Estimated Cost : Rs. 10,82,54,424/-
4. Tendered cost : Rs. 10,34,87,180/-
5. Gross work done : Work in progress
6. Stipulated date of Start : 22.03.2010
7. Stipulated date of Completion : 21.09.2010

8. Name of Contractor : **M/s P & R Infraprojects Ltd.**
Quiet office no. 7,
1st& 2nd Floor, Sector 35-A,
Chandigarh – 160 036

Press notice for the above mentioned work was issued on 24.11.2009, the eligibility bid along with recommendation for financial bid opening was submitted to concerned Chief Engineer on 09.12.2009 and 14.12.2009 respectively, the same was rejected by Chief Engineer, CW-1 vide letter dt. 18.12.2009 on the plea that eligibility bids not found in order and intimated to EE, CW-111 and Project Manager, CW-11 to re-call the tender. Subsequently, the tenders re-invited, press note issued on 21.12.2009, appeared in Newspaper on 25.12.2009 with last date of receipt of tenders on 02.01.2010. After evaluation of eligibility bid approval of financial bid opening approved by the Chief Engineer, CW-1 and finally the work was awarded to M/s P & R Infraprojects Ltd. which was selected as L-1 on the basis of comparative statement at the tendered cost of Rs. 10,34,87,180/- which was 4.40% below the estimated cost. The proposed work was awarded on 12.03.2010 with stipulated date of start and completion as 22.03.2010 and 21.09.2010 respectively as the time for completion was six months as per NIT.

Scrutiny of the records provided by the CW-111 revealed the following observations:-

1. The deck of one foot over bridge collapsed on 21.09.2010 while the concrete was being cast on the deck and FIR No. 137/10 dt. 21.09.2010 u/s 336/337/338 was lodged with police station, Lodhi Colony, New Delhi. As per reply furnished that the copy of the said FIR have not yet been provided by Delhi Police. It is advised that the matter may be pursued with Delhi Police and copy of the same be kept on record and copy of the FIR and further conclusion of FIR be provided to Audit.

2. A Committee comprising of following two members were constituted by Principal Secretary (PWD), GNCTD vide letter No. PS/PWD/2010/Misc. dt. 21.09.2010 :
- a. Shri H.S. Dogra, Advisor (Tpt), GNCTD & Former DG (W), CPWD.
 - b. Shri Ashok Gupta, Prof. (Civil Engg.), IIT Delhi.

The above Committee was required to go through the structural design & reasons of collapse of deck slab of foot over bridge under construction, to give advise on modifications in design and /or construction methodology if any required for completing the construction and to identify the lapse & person(s)/ agency responsible for the same.

The committee submitted their report in 10 pages in detail in October 2010 considering the views of representatives of Macalloy steel, engineers of M/s Tandon Construction Pvt. Ltd., M/s P&R Infraprojects (Contractor), PWD engineers etc. which is summed up in following observations/ conclusions:-

- i. At the time of concreting work was in progress and when the collapse occurred none of PWD Engineers i.e. Project Manager, Executive Engineer and Assistant Engineer were present at site of work. Moreover, there is no record of inspection note of any Senior Officer of PWD.
- ii. At the time of collapse the contractor (M/s P & R Infraprojects Ltd.) was also not present on particular site of work, only workers and their supervisors were at site, the accident had resulted in minor to grievous injuries to around 27 workers who were on the deck or below.
- iii. The structural drawing EB-264-ST-111 issued by M/s TCPL (Consultant) and sent by P&R Infra projects (contractor) to MacalloyIndia (who supplied the Macalloy suspenders) in April 2010 showing the gusset plate and fork connection details which clearly states "End plate dimension and material specifications are subject to confirmation by suspender system supplier. M/s Macalloy India did not communicated any observation to either consultant or contractor regarding suitability/ possibility changes of S460 and orientation of the joint".
- iv. The work was done in great haste. The deck was erected without any approvals of the erection process. In the absence of any laid down procedure while erecting the deck was held in position by cranes and the suspenders were tied in the outriggers gusset plates. Not a very satisfactory arrangement. No efforts were made to invite the Macalloy team for erection work either by PWD or the contractor. The designer also never recommended it even though this arrangement was being tried by them for the first time.
- v. The collapse has happened because of the asymmetric Loading and opening of fork of the Macalloy suspender system. The sensibility of the Macalloy bars to asymmetric loading rotations of gusset plate was not well appreciated and hence no checks were made at the design and erection level when high thickness of gusset plate (coverage thickness 31.6mm) instead of 30mm thickness used. The failure mode shows that vulnerability of the system as far as the use of Macalloy suspender bar is concerned.

- vi. It appeared that M/s TCPL (Consultant), CRR (Proof Checking), M/s P&R Infraprojects Ltd. (Contractor) and PWD has no prior experience of using Macalloy bars for such Foot Over Bridge. Further, Committee suggested that Macalloy bars may not be used in similar projects till there is a proper & clear understanding on the role of M/s Macalloy, U.K. for not communicating any observations of structural drawing to consultant and contractor for possible changes. In the reply, it has been intimated that a reply relating to above observation has been submitted by the CE, F-1 to the Engineer-in-Chief, PWD, GNCTD. Whether the same has been accepted by the Competent Authority i.e. Pr. Secy. PWD.

The final action taken by the department on the observations of Dogra Committee be intimated to Audit.

3. A Writ Petition WP (C) 524/2010 & CM Nos. 4600/2010 and 10299/2010 was filed in the High Court of Delhi by peoples union for Democratic Right and others v/s UOI and others on 22.09.2010 and Chief Justice of Hon'ble High Court on the same day ordered as an interim measure subject to final finding in the appropriate proceeding or in this writ petition, the State Govt. shall pay a sum of Rs. 3 lakh to the critically injured persons and Rs. 1 lakh who have suffered minor injuries like fractures by ways of bank draft immediately. The State Govt. shall cause an enquiry and fix the responsibility and thereafter realize the aforesaid amount either from the contractor, the officers or from any other persons, who are responsible in overseeing the work. Scrutiny of the records revealed that Rs. 24,00,000/- were paid to 8 persons critically injured and Rs 19,00,000/- were paid to 19 persons who got injuries by bank drafts through Dy. Labour Commissioner, Labour Commissioner office GNCTD, Delhi.
- In the above context, the following information /clarifications are required:-

- i. Whether the final judgment has been received in the above writ petition, if yes the copy of the same be provided to Audit. If not decided finally, the copies of all orders passed by Hon'ble High Court since 22.09.2010 to till date be provided to Audit and next date of hearing may also be intimated to Audit.
- ii. Whether any departmental enquiry has been conducted as per orders of Hon'ble High Court dated 22.09.2010 and responsibility has been fixed and the amount paid to workers (effected persons of accident of 21.09.2010) has been recorded with details thereof. If no departmental enquiry has been conducted the reasons of thereof may be intimated to Audit.

In the reply, it has been intimated that the said amount paid to the injured person will be recovered from the running account bill of the contractor. The amount of Rs 43,00,000/- be recovered from the contractor under intimation to Audit.

4. The stipulated date of completion of work was 21.09.2010 but scrutiny of records produced to audit revealed that the work has not since been completed.

In the reply, it has been intimated that investigations were conducted and it took a long time to decide by the higher authorities as to whether the work be carried out further or it shall be terminated. In July 2011 vide no.F.9(141)/JLNs 2 FOBs/2009-10/PWD-III/3113-14 dated 04.07.2011, PWD Secretariat, GNCTD the competent authority had granted in principle approval for construction of two FOBs at JLN. One FOB is complete and is open for public. 70% work of the second FOB is done and likely to be completed by the end of Feb. 2013. Total payment made to the contractor not furnished to Audit. Scrutiny of the file revealed that no provisional extension of time exists/granted. How the agreement is being treated as live?

5. Scrutiny of the various registers, the following observations are being made:

- i. Inspection register found blank, only page counting certificate found recorded. It is not ascertained whether any inspection notes were given by the higher authorities while inspection the construction work in question. In the reply, it has been intimated that the inspection note are placed in concerned file. How the same is justified without recording in the Inspection Register?
- ii. Hindrance register found blank, only page counting certificate found recorded. A letter No. 54(17)/CW-111/PWD/09-10/447 dt. 30.07.2010 was sent to the contractor stating therein regarding progress of work is unsatisfactory at site, the agency could not start the launching of any FOB till date, even the Macalloy bars in the sub-structure could not be pre-stressed till date, the suspenders of both the FOBs has not reached the site till date, there are lot of uncertainties attached with the timely completion of this projects. Moreover, as per Dogra Committee report page 10 sl. No. 13 c it has been mentioned that the suspenders arrived at site in 3rd week of September 2010. The same should have also been recorded in the site order book and hindrance register as the case may be for the lapses observed by the department on part of the contractor and should be considered while granting the extension of time to the agency on completion of work. In the reply, it has been mentioned that hindrances, if any, were recorded in the form of letters and minutes of meeting. How the hindrances will be treated as justified without recording the same in the hindrance register?
- iii. The concerned EE has not initialed in MAS register and contractor's ledger whereas 79.06 lakh and 92.01 lakh were released to the contractor as secured advance in 2ndRA and 3rd RA Bills respectively for bringing the various materials at site of work. No reply furnished to Audit in this regard.
- iv. Test register not produced to audit, EE should ensure that all number of mandatory tests were conducted at regular intervals as per agreement and related IS codes applicable and results were found satisfactory.

6. The following paras relating to quality control unit are pending as per reply furnished by EE office:-

Name of work	Para No.	Brief description
C/o 2 Nos. FOBs at JLN Stadium	4.1	Reasons for rejection of technical bid at 1 st call of bid.
	5.2	Approved sample of material
	5.4	Registered not docketed by division office
	6.1	Inspection Register found blank.
	6.2	Test Register not reviewed by SE
	8.2	EE has not taken test sample in pile work 10% and 25% in concrete.
	8.3	Cube test not filled in prescribed proforma
	8.5	Non achievement of mile stone.
	9.6	Weight of steel bar not as per CPWD specification
	10.1	Deviation to be approved by Competent Authority.

Efforts be made for settlement of all pending quality control para with the concerned department under intimation to Audit.

7. The real cause of failure of the suspender system has not yet been established by the department. As soon as the real cause of failure established along with action taken by the department may be intimated to Audit.
8. As per reply furnished to Audit, it has been intimated that Crime Branch of Delhi Police is also investigating the case and their finding are yet to be finalized at their end. As and when the findings of Crime Branch of Delhi Police are received the action be taken accordingly under intimation to Audit.

Para No. 2

(Ref. Memo No. 11dt.30.11.2012 and
Memo No. 21 dt. 18.12.2012)

**Sub: Construction of Elevated Road over BarapullaNallah starting from Sarai Kale Khan to Jawaharlal Nehru Stadium. SH: C/o link road between Mathura Road and Nizamuddin Railway Station.
Agreement No. 01/EE/CW-111/PWD/GNCTD/ 2010-11**

- (1) The tender for the above work was awarded to M/s Mahavir Prasad Gupta being the lowest quoted tenderer at 0.95% below the estimated cost of Rs. 1,28,57,385/ However, the gross value of work as per final running account bill amount to Rs.1,85,89,291/- due to deviation in quantities of work executed.

As per para 2.35 of PWD manual excess upto 10% of the amount of the administrative approval may be authorized by officer of the CPWD upto their respective power of technical sanction. In case it exceeds the limit a revised administrative approval may be obtained from the Competent Authority to approve the cost so enhanced. As the excess in the above work exceeds the limit of 10% of the amount of A/A a revised approval were required to the obtained. Similarly, a revised expenditure sanction is also required to be obtained as per para 2.4 of CPWD manual. However, as per record, no administrative approval nor expenditure sanction has been obtained from the Competent Authority for the excess amount incurred for the work beyond the prescribed limit. Reason for the same may please be elucidated to the audit. In the reply dated 26.12.12, it has been stated that the expenditure incurred on the work was met out of the A/A & E/S of the main project i.e. construction of Elevated Road over BarapullaNallah starting from Sarai Kale Khan to Jawaharlal Nehru Stadium of Rs. 498 Crores and separate A/A & E/S was not required. Scrutiny of the main estimate it revealed that the requisite work does not reflect in the provisions kept for the works to be carried out in the approved estimate of Rs. 498 Crores. Audit is of the view that revised A/A & E/S and T/S of the competent authority be taken as per rules.

- (2) Inspection Register, MAS Register and Site Order Book not produced to Audit, the same may be provided to next Audit for further scrutiny.
- (3) None of the entries of test reports entered in BM Site, DBC site and DBM plant registers found initialed by the concerned Executive Engineer in token of considering the satisfactory reports of mandatory tests. Reasons of the same be elucidated to Audit.
- (4) No fortnightly labour report found attached with the final bill stating the no. of skilled / unskilled workers employed in each fortnight with amount paid to them with certification by the executing staff that the payment made to workers in his presence. However, only a certificate has been given in the bill that fortnightly labour reports have been submitted by the Agency.

In the reply, it has been mentioned that fortnightly labour reports have been submitted by the contractor with AE-in-charge of the work but the same not produced to audit for further scrutiny as per observations pointed out above. The same be produce to next audit.

- (5) As per para 53.15 (iii) of CPWD Works Manual which states that there should be concerted efforts on the part of the field units as well as the QA cell to comply with the observations of the QA cell and finally settle all the paras during the projects of works itself so that the bill for the work is finalized in time. Such observations should not be allowed to linger on indefinitely. The final payment was made to the agency vide CV No. 4 dt. 15.04.2011 by withholding Rs. 50,000/- for QC paras (which do are to be settled) without consideration of the above para of Works Manual. The details of the pending paras are given below:-

Name of work	Para No.	Brief description
C/o Elevated Road over Barapulla Nallah Project. SH: C/o Link Road from Mathura Road to Nizamuddin Rly. Station	5.1	Sample approval register
	5.4	EOT approved or not
	5.6	Supply of Bitumen by IOC
	5.8	i. Mandatory Test statement not provided. ii. Number of samples collected not specified.
	6.3	Whether voids were deducted
	6.5	Computer Generated slip required
	7.1	Test check of level not done by AE/IE.

Vigorous efforts are required for settlement of the quality control paras under intimation to Audit.

- (6) Certificate regarding completion of work has been shown recorded in CMB No. 2. But no page number of CMB has been mentioned. Copy of completion certificate along with the defects conveyed to contractor not provided to Audit.
- (7) As per letter No. 54(19)/ CW-111/PWD/GNCTD/ 90 dated 15.02.2011 addressed to Executive Engineer, SED-8, DDA, Pkt A-14, Kalkaji Extension, New Delhi, the department has restored the road cut by the DJB for laying pipeline during restoration work and the road cutting charges deposited by the DJB to DDA is to be recovered from DDA as the restoration work was done by PWD.

In the reply, it has been informed that the amount in question has not been deposited by DDA. DDA is being reminded to deposit the amount at the earliest. It is advised that the requisite amount be recovered from DDA with continuous persuasion under intimation to Audit.

Para No. 03

(Ref. Memo No. 17 dt. 14.12.2012,
Memo No. 19 dt. 17.12.2012,
Memo No.22 dt.18.12.2012 and
Memo No. 23 dt. 19.12.2012)

Sub.: C/o Storm Water Drain from Mahipalpur Chowk to Najafgarh Drain.
SH: RCC drain from RD00 to RD4050 including RCC drain under the Rewari Rail track with box jacking technology (Phase-I)
Agreement No. 02/EE/CW-111/PWD/08-09

Estimated Cost : Rs.100,49,50,011/-
Tendered amount : Rs.128,88,81,154/- (28.25% above the Estimated cost)
Stipulated date start : 07.08.2008
Stipulated date of completion : 21.05.2009
Date of actual completion : 31.12.2009

Scrutiny of the records provided to Audit revealed the following observations:-

1. While finalizing the NIT, in schedule of quantity, 2 sub-heads were taken as:-

Sub- head- I:Construction of RCC drain from RD00 to RD4050 with estimated cost as Rs. 91,53,50,011/-

Sub- head- II:Construction of RCC drain under the Rewari Rail track with box jacking technology with estimated cost as Rs.8,96,00,000/-

The total estimated cost for both the sub-head proposed as Rs. 100,49,50,011/- taking into consideration the addendum issued for quantity of item at S. no. 21 and corresponding amount accordingly.

2. In the abstract of cost proforma attached in the NIT separate percentage was required to be filled by the agency for sub-head I & II. The three agencies who participated in the bidding process submitted the rates for sub-head I & II accordingly. The rates as per Comparative Statement are detailed below:-

Sl. No.	Name of agency	Tendered amount percentage above or below the ECPT	Net tendered amount
1.	M/s AFCONS Infrastructure Ltd. SH-I SH-II	59.20% above 10.10% below	Rs.1,53,78,77,218/-
2.	M/s ITD Cementation India Ltd. SH-I SH-II	52.13% above 20.00% above	Rs.1,50,00,41,972/-
3.	M/s DSC Ltd. SH-I SH-II	30.04% above 10.00% above	Rs.1,28,88,81,154/-

3. Further scrutiny revealed that while awarding the work, the rates for both the sub-heads taken as collective for deciding the L1 tenderer. The rates of L1 tenderer i.e. M/s DSC Ltd. to whom the work was awarded, the rates quoted by the said agency for sub-head-II were 10% above the estimated cost whereas the agency at Sl. No. 1 above i.e. M/s AFCONS Infrastructure Ltd. had quoted the rates for sub-head-II as 10% below the estimated cost. The invitation of separate rates for both the sub-heads and awarding the work of sub-head-II about 20% more than the rates offered by M/s AFCONS Infrastructure Ltd. needs elucidation to audit. No reply furnished by the unit in this regard.
4. What was the main objective for invitation of separate percentage of rates for both the sub-heads instead of calling the same as collective percentage, whereas the award of work done on the overall rates of both the sub-heads. ? No reply furnished by the unit in this regard.
5. As per copy of final bill, the rate of item No. 2 under sub-head-II @ Rs. 12,50,000/- per metre was paid for 40 meters. As per Extra Item Statement no. 7, the rates of 5 meters @ Rs. 4,90,685/- per metre was approved and deducted for jacking and pushing of pre cast RCC boxes not carried out. How the rates were derived ? The analysis of rates of Rs. 12,50,000/- as per schedule and rate of Rs. 4,90,185/- per metre the amount deducted not provided to audit. Why the deduction amount reflected in the extra item statement instead of deviation statement, be elucidated to audit. No reply furnished by the unit in this regard.

6. Non-Compliance of terms of contract by the Contractor

As per Clause 36(i), the Contractor shall immediately after receiving the letter of acceptance of the tender and commencement of the work, intimate in writing to the Engineer-in-Charge the name(s) qualification, experience, age, address(s) and other particulars along with certificate of the principal technical representative to be in charge of the work and other technical representative(s) who will be supervising the work. Minimum requirement of such technical representative(s) and their qualifications and experience shall not be lower than specified in 'Schedule F'. The Engineer-in-charge shall within 3 days of receipt of such communication, intimate in writing his approval or otherwise of such a representative(s) of the contractor.

As per schedule 'F' in respect of above work, the requirement of Technical Representative(s) and recovery rates are shown as under:-

Sl. No.	Designation (Pr. Technical) Technical representatives	Minimum Qualification	Discipline	Experience	Number	Rate at which recovery shall be made from the contractor in the event of not fulfilling provision of Clause 36(1)
1.	Project Manager	Graduate Engineer	Civil	15-18	1	35,000 per month
2.	Deputy Project Manager	Graduate Engineer	Civil	12-15	2	Rs. 25,000 per month per person
3.	Project /site Engineer	Graduate Engineer, Diploma Engineer	Civil	6-12 or 8-12	6	Rs. 15,000 per month per person
4.	Qualify Engineer	Graduate Engineer	Civil	8-12	2	Rs. 15,000 per month per person
5.	Surveyor	Graduate Engineer	Civil	8-12	2	Rs. 10,000 per month per person
6.	Project Planning/ billing Engineer	Graduate Engineer	Civil	6-8	3	Rs. 15,000 per month per person

During scrutiny of records relating to the above work, the details of technical representative engaged by the contractor was not found placed on record. In this connection, the department was requested to furnish the details of technical representative engaged by the contractor along with documentary proof. The department vide their reply dated 18.12.2012 has furnished details of Technical representatives engaged by the contractor. As per reply the following Technical representatives were engaged by the contractor:-

- | | | | |
|--------|---|---|-------------------------|
| (i) | Mr. Sunil M. Asnani (BE –Civil) | – | GM Structure |
| (ii) | Mr.Srijan Kumar Pandey (BE –Civil) | – | Sr. Manager |
| (iii) | Mr.Maqsood Ahmed (Diploma Civil) | – | Site Engineer |
| (iv) | Mr.Tushar Kant Pal (BE- Civil) | – | Sr. Site Engineer |
| (v) | Mr.Manoj Kumar (ITI) | – | Surveyor |
| (vi) | Mr.Vikram Kumar (ITI) | – | Surveyor |
| (vii) | Mr.Subhas Singh (Diploma- Civil) | – | Manager Quality Control |
| (viii) | Mr.Rajeev Kumar Baskhi
(Diploma in Personnel Management) | – | Sr. Manager |

In this connection, the following observations were made:-

- (a) The numbers of Technical Representatives employed by the contractor, M/s DSC Ltd. were less than the number required as per Clause 36(i) under schedule 'F' of the NIT. The required qualifications as per NIT were also not obtained by some of representative. The copies of certificate of qualification were also not available in case of most of the representatives. The details are given as under:-

Sl. No.	Designation	Qualification required	Qualification obtained	Number of representative required	Number of representatives engaged
1.	Project Manager	Graduate in Civil Engineer	BE Civil	1	1
2.	Deputy Project Manager	Graduate in Civil Engineer	BE Civil	2	1
3.	Project /site Engineer	Graduate Engineer, Diploma Engineer (Civil)	1 diploma and 1 degree Engineer	6	2
4.	Qualify Engineer	Graduate Civil Engineer	Diploma-Civil	2	1
5.	Surveyor	Diploma in Civil Engineer	ITI	2	2
6.	Project Planning/ billing Engineer	Graduate in Civil Engineer	Diploma in personnel Management	3	1
Total				16	8

As per Clause 36(i) recovery shall be made from the contractor in the event of not fulfilling provisions of Clause 36(i) on pro-rata basis. Since, the contractor has not employed Technical Representative as per Schedule 'F'; the department should have enforced the recovery from the contractor for not fulfilling the provisions of Clause 36(i).

Audit may please be informed whether recoveries have been affected from the contractor along with detail of recovery. The department has not submitted any reply in this regard. The reason for non-engagement of adequate staffs by the contractor may be elucidated to audit. Otherwise recovery for not fulfilling the provisions of clause 36(i) may be effected from the contractor and credited to Govt. Account under intimation to the Audit.

7. No entries of mandatory tests if conducted found recorded in the master test register. Only the entries of drawings found recorded on para No. 1. All pages from SI No. 2 to 119 found blank. In the absence of recorded entries, it cannot be ascertained by the Audit whether all mandatory tests were conducted as per agreement and related IS Codes applicable and results were found satisfactory. No reply furnished by the unit in this regard.
8. Items entered in MAS register not found initialed by concerned Executive Engineer. Totals of TMT steels of different dias have not been worked out in the MAS register. How the total quantity taken in theoretical consumption statements. No reply furnished by the unit in this regard.
9. Hindrance register neither signed by the concerned Executive Engineer nor by any reviewing officer, both the columns in hindrance register found blank. Hindrance recorded at SI. No. 23 as "Hindrance occurred on account of heavy rains continuously from 09.09.2009 to 12.09.2009" in the column of nature of hindrance (Column no. 2) but in the column No. 4 & 5 the date of start & date of removal of hindrance has been shown as 09.09.2009 to 12.09.2009 (Column 4) and 26.09.2009 (in column no. 5) and full weightage of 18 days have been given in favour of the agency while granting of EOT, needs elucidation of Audit. Further, 4 days overlapping period w.e.f. 09.09.2009 to 12.09.2009 also comes in hindrance No. 23 from hindrance No. 22 which has been treated as NIL. No reply furnished by the unit in this regard.
10. Inspection register found blank. No inspection note of higher authorities found recorded as per para 25.2 of CPWD works manual. Moreover, as per above para the concerned Executive Engineer is required to ensure that the observations of the inspecting officers for each and every visits are available in the Inspection register either through recorded notes or through posting of the Inspection Notes. In the absence of proper recording, it cannot be ascertained by the Audit whether the above work was regularly inspected by the higher authorities, if any.

In the reply, it has been mentioned that the project under scrutiny was regularly been visited by the higher officers. Reports relating to inspections by the officers of the department and higher authorities of GNCTD were conveyed to the contractor as well as the Engineer-in-Charge of the work for the follow ups. Audit is of the view that proper recording of inspection reports in inspection register depicts the true picture of inspections/ observations of higher authorities and recording of subsequent compliance thereof should have been made in inspection register. Copies of all the inspections reports be compiled in the Inspection Register as per above observations and in future the inspection registers of all works be maintained as per para 25.2 of CPWD Works Manual.

11. The MAS register, hindrance register, site order book etc. not found closed, though the work was completed on 31.12.2009 and final payment too has been released to the agency (M/s DSC Ltd. vide bill no. 27 RA and Final) (CV No. 12 dt. 20.10.2011). No reply furnished by the unit in this regard.
12. The work for SH-II was awarded to the agency @ 10% above the estimated cost i.e. Rs. 8,96,00,000/- + 89,60,000/- = 9,85,60,000/- but the agency further got the work done by award of work order to M/s Sugam Construction (P) Ltd., 48/5, Janpath, New Delhi at a cost for Rs. 41900000 only i.e. less than 50% of the rates quoted and charged by them from the divisional office. The reasons for not inviting separate tenders for SH-II from the specialized agencies needs elucidation to Audit as more than 5 crores have been incurred extra for execution of work pertaining to SH-II through sub-contractor/ agency. No reply furnished by the unit in this regard.

Para No. 4

**(Ref. Memo No. 8 dt. 22.11.2012 and
Memo No. 9 dt. 22.11.2012)**

**Sub: Construction of Elevated Road over Barapulla Nallah starting from Sarai Kale Khan to Jawaharlal Nehru Stadium. SH: Cleaning of Nallah bed at the locations, Moolchand and Sunehari Nallah Connectivities.
Agreement No. 01/EE/CW-111/PWD/GNCTD/ 2011-12**

Estimated Cost	: Rs. 79,70,900/-
Tendered amount	: Rs. 69,89,500/- (12% below the Estimated cost)
Time allowed	: 40 days
Stipulated date start	: 16.04.2011
Stipulated date of completion	: 25.05.2011
Date of actual completion	: 22.06.2012

The above work was awarded to M/s Munshi Ram Kharbanda. As per record, the work of cleaning the nallah bed was to be undertaken by M/s DSC Ltd. as per the terms and conditions of the agreement No. 03/EE/CW-111/PWD/2008-09 and 04/EE/CW 111/PWD/2008-09 between M/s DSC Ltd. and Executive Engineer, CW-111 for Construction of Elevated Road over Barapulla Nallah starting from Sarai Kale Khan to Jawaharlal Nehru Stadium. Since, the agency has not cleared the site inspite of several reminders, the contract was awarded to M/s Munshi Ram Khanbanda at the risk and cost of M/s DSC Ltd. and the expenditure incurred on the contract shall be recovered from M/s DSC Ltd.

The above work was completed on 22.06.2012 with a total cost of Rs. 69,91,336/-. This cost is to be recovered from M/s DSC Ltd. as the contract was awarded to M/s Munshi Ram Kharbanda at the risk and cost of M/s DSC Ltd. along with Rs. 38,605/- incurred on advertisement by EE, CW-111. The department vide their reply dated 30.11.2012 informed the audit that an amount of Rs. 90,00,000/- has already been withheld from M/s DSC Ltd. from the RA bill on account of not cleaning of site during/ after execution of the Construction of Elevated Road over Barapulla Nallah starting from Mathura Road to Jawaharlal Nehru Stadium (Package-2) and the amount will be recovered from M/s DSC Ltd. from the final bill.

Necessary immediate action may be taken to recover the expenditure amounting to Rs. 70,29,941/- incurred in the above work from M/s DSC Ltd. and be credited to Govt. Account under intimation to audit.

The above said work was required to be completed within 40 days but the work was completed by taking more than 14 months for which provisional extension were granted on a number of times. The contractor failed to achieve the milestone as per terms of the agreement. The department issued Show Cause Notices to the contractor on 10.10.2011 and 28.10.2011 to expedite the work within the time frame which clearly indicates that there was considerable delay attributable to contractors negligence, though while granting final EOI, the department has not taken into consideration the delay attributable on the part of the contractor and not found recorded in the hindrance register.

All the hindrances considered as departmental delays for one reason to other reason amounting to undue favour to the contractor which do not appears to be justified as the EOI

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has been granted without levy of compensation / without imposing any penalties under Clause 2 & 3 of the agreement for the delays attributable on the part of the contractor.

In the reply, it has been mentioned that at few occasions work was slow inspite of availability of site and due to non-availability of site at certain locations the work was delayed and the delay was justified. Audit is of the view that the delay attributable on part of the contractor be taken into consideration with proper recording in the hindrance register on the basis of correspondences made in this regard. For all the works and percentage of the same be taken into account while grant of final EOT. In the present case, the EOT sanctioned is required to be reviewed for imposition of penalty by the Competent Authority under intimation to Audit.

Sub.: Purchase of furniture items.

There is a ban on purchase of furniture items as per Economy Instructions issued by Finance Department (Deptt. of Expenditure) Govt. of India and endorsed by Finance Deptt. GNTCD from time to time. As per Sl. No. 5 of Delegation of Financial Powers to Heads of Departments and Heads of Offices regarding purchase of fixture and furniture the Heads of Offices can purchase furniture items for Rs. 15,000/- per annum and Head of Departments have full powers but Finance Department's approval is required to relax the economy ban on purchase of furniture. Scrutiny of records revealed that the furniture items were purchased without getting the relaxation from Finance Department and the approval of Head of Department, as detailed below:-

Sl. No.	W.O. No. & date	Amount	Agency
1.	8 dt. 24.09.2008	Rs. 4,34,825/-	M/s Neha Interiors
2.	9 dt. 01.10,2008	Rs. 4,34,977/-	-do-
3.	11 dt. 01.11.2008	Rs. 3,82,627/-	M/s Chetan Agencies

The above purchases were approved by Project Manager but Head of Department for the unit is Chief Engineer. No analysis of rates as well as justification of rates found attached with the work order. Reasons of the same be elucidated to Audit. No reply furnished by the unit in this regard.

The above expenditure is required to be regularised along with all the furniture items purchased at Sub-Divisional level during the audit period 2007-08 to 2011-12 from the Competent Authority under intimation to Audit.

Sub.: Purchase of Computers/ Peripherals.

As per delegation of financial powers to Heads of Departments and Heads of Offices Sl. No. 28 (b) HOD is empowered for purchase of computers (including Laptops, Printers and Computer furniture) upto Rs. 2.5 Lakh per annum and Head of Office has 'nil' powers. Scrutiny of records revealed that the following computer etc. were purchased without the approval of Competent Authority

Sl. No.	W.O. No. / Date	Brief description	Amount (in Rs.)	Agency
1.	1 / 28.05.2008	HP Office jet	18,200/-	Landmark Technologies
2.	2 / 30.05.2008	HP Desk top	92,000/-	-do-
3.	4 / 04.06.2008	PITC of Desk Top Computer	98,207/-	Computer Wala
4.	5 / 14.06.2008	PITC of Laptop Computer	99,880/-	-do-
5.	6 / 04.09.2008	Computer with Network	41,800/-	P S Computer Solutions
6.	7 / 11.09.2008	1 No. Printer	33,200/-	-do-

Moreover, above purchase also exceeds the powers of Head of Department, the reasons for not getting the approval of Competent Authority be elucidated to Audit. Further, the above expenditure is required to be got regularized from the Competent Authority. No reply furnished by the unit in this regard.

Stock entries of above mentioned items be shown to next Audit as no stock register has been produced to Audit.

Para No. 7

(Ref. Memo No. 7 dt. 14.11.2012 and
Memo No. 25 dt. 26.12.2012)

Sub.: Non-settlement of balances lying under deposits part-II, III & V.

Scrutiny of deposit part-II, III & V registers revealed that huge balance are lying with the division as on 31.03.2012 as per monthly account of March 2012 CPWA 79(i) detailed below:-

Deposit Part- II	Rs. 1,13,52,857/-
Deposit Part- III	Rs. 50,58,029/-
Deposit Part- V	Rs. 10,38,25,155/-

The above balances which are lying unclaimed for more than 3 years in Part - II & V and are free from all encumbrances required to be credited to Govt. account as lapsed deposits as per rules. In the reply, it has been mentioned that the deposits are pertaining to the projects which are still not been finalized. All deposits are required to be reviewed and necessary action may please be initiated as per rules for crediting the lapsed deposits into Govt. account under intimation to Audit.

The balances under Part-III are also required to be reviewed and necessary action be taken for clearance of the same under intimation to Audit.

Para No. 08**(Ref. Memo No. 29 dt. 27.12.2012)****Sub.: Expenditure on behalf of other offices.**

Test check of the records revealed that a work order no. 10 dt. 01.10.2008 was issued for job work of three computer operators for Director (Works) and Director (Maintenance) sections in the office of Engineer-in-Chief, PWD for period of three months from 01.10.2008 to 31.12.2008 at a cost of Rs. 1,20,000/-. The office of Engineer-in-Chief is a separate office, the expenditure on this account should have been met from their own funds. The reasons for the same be elucidated to Audit. No reply furnished by the unit in this regard. The details of other expenditure booked, if any, by division for other offices be intimated to next Audit for further scrutiny.

Para No. 09**(Ref. Memo No. 30 dt. 27.12.2012)****Sub: Construction of Elevated Road over Barapulla Nallah starting from Sarai Kale Khan to Jawaharlal Nehru Stadium. SH: Cleaning of nallah at Mathura Road.**

Work Order No. 1 dt. 18.10.2011 was issued to Mohd. Ikramuddin for above mentioned work for Rs. 4,90,020/-. The 2nd RA and final bill was paid for Rs. 6,35,288/-, i.e. exceeding the work to 29.65% more than the awarded amount of work order. Though the extra work was approved by Project Manager but in work orders the amount is to be restricted to the awarded amount, if the need arise for further carrying out the job, the same is got done through separate work order. The reasons for the same be elucidated to Audit. No reply furnished by the unit in this regard.

Para No. 10

(Ref. Memo No. 27 dt. 27.12.2012)

Sub.: Issue of work orders without calling e-quotations.

As per orders of IT Department, GNCTD, the purchases / services above Rs. 2 lakhs are required to be procured through e-procurement i.e. through Web publicity. Scrutiny of the records for the audit period it revealed that the work orders have been issued on call/ collection of spot quotations for purchases / services exceeding Rs 2 lakhs instead of Web publicity through e-procurement process (which is mandatory). The details are annexed at **Annexure 'A'**. The reason of the same may be elucidated to Audit for not opting the e-quotations through e-procurement platform in order to have more competitive rates. No reply furnished by the unit in this regard. Purchases/services may be got regularized from the competent authority. In future all tenders/quotations be floated as per instructions/guidelines issued by the I.T Department, GNCT of Delhi.

Work orders above Rs. 2 lakhs

W.O. No. & Date	Amount (in Rs.)	Brief description of work	Agency
05 / 28.03.2008	2,24,720/-	Animation cum work through sequence	M/s NavPrastuti
08 / 24.09.2008	4,34,825/-	Providing office furniture	M/s Neha Interiors
09 / 01.10.2008	4,34,977/-	Providing office furniture	M/s Neha Interiors
11 / 01.11.2008	3,82,627/-	Misc. furniture	M/s Chetan agency
01 / 02.04.2009	3,27,880/-	Improvement of office premises	M/s Arvind Enterprises
02 / 08.05.2008	3,03,500/-	Geo-technical Investigation	M/s Cengrs Geo-technical
03 / 08.02.2010	49,453/-	Providing & fixing Polycarbonate sheet	M/s Dhanna Ram & Sons
04 / 12.03.2010	2,58,102/-	Providing documentary film	M/s Med vision
01 / 21.05.2010	4,86,000/-	Lining of side scope with bottom with Geo-Web near Geo-Web near pillar No. 84 in Barapulla Nallah.	M/s EnviroInfraDevelopers
02 / 01.06.2010	11,88,000/-	Hiring of T&P for cleaning of nallah before monsoon.	M/s Hill India Hydro Engineering Pvt. Ltd.
03 / 09.07.2010	11,31,900/-	Hiring of excavator dozer for cleaning nallah during monsoon.	M/s R. V. Akash Ganga Infrastructure Ltd.
04 / 12.07.2010	4,92,275/-	Proving and fixing of flower pot.	M/s Satya Pall Pannor
05 / 06.08.2010	2,28,600/-	Providing hoarding at Sarai Kale Khan crossing.	M/s Design tree
06 / 18.09.2010	3,78,000/-	Providing and fixing retro-reflective stickers	M/s Venus Enterprises
07 / 20.09.2010	5,95,000/-	Providing and fixing Glow studs	M/s Universal Enterprises
01 / 18.10.2011	4,90,020/-	Cleaning of nallah at Mathura Road.	M/s Mohd. Ikramuddin
02 / 30.11.2011	3,17,700/-	Providing security and house keeping work	M/s GauravEnterprises.

Para No. 11

Sub: Budget and Expenditure

1. Ref. to final information submitted by the Division regarding Budget allocation and expenditure incurred during the audit period revealed that during the year 2010-11 the expenditure under MH 5054(CWG) was done to the tune of Rs. 3629.10 lakh against the budget allocation of Rs. 3624 lakh i.e. Rs. 5.10 lakh incurred more than the budget allotment which requires to be got regularized from the competent authority.
2. Rs. 6 lakh was allotted under MH 4059 in the year 2007-08 but only 11 thousand were incurred and 98% savings made in the above Head of Accounts. Unutilized budget is required to be surrendered to the Finance Department well in advance without waiting for utilization of the same upto 31st March of the respective year, so that the savings can be utilized by other needy departments.

Para No. 12

Sub: Non maintenance of records

The following records are not maintained by the Division CW-111, PWD for the Audit period 2007-12. The same may be maintained and shown to next Audit.

1. Contingency Register
2. MB Review Register
3. Divisional Accounts objection Book
4. Register of Rates
5. Property Register


(K.B. GROVER)
IAO, Party-V