

Minutes of the Spl. Board Meeting held on 30-11-2015 at 1300 hours.

PRESENT

1. Brig.Anurag Bhasin, President
2. Shri Suresh L.Kamble, Vice President
3. Shri Amol Jagtap, Member Secretary
4. Col. V. Bhatnagar, Nominated Member
5. Col. A.D. Sawant, Nominated member
6. Shri Kamlesh S.Chaskar, Member
7. Shri. Manish S.Anand , Member
8. Smt. Pooja Manish Anand, Member
9. Kum. Kartiki Prakash Hivarkar, Member
10. Smt.Vaishali Kailas Pahilwan , Member
11. Shri Duryodhan Tukaram Bhapkar, Member
12. Shri Abhay Krishna Sawant , Member

NOT PRESENT

1. Brig.H.S. Agrawal, VSM, SEMO, Ex-Officio Member
2. Maj. Nemani Subhash , GE (C), Ex.Officio Member
3. Col. A.K. Saxena , Nominated Member
4. District Magistrate or Executive Magistrate (Rep.)

SPL. INVITEES - NOT PRESENT

1. Shri Anil Shirole, Hon'ble MP.
2. Shri Vijay Kale, Hon'ble MLA.

01. To note the minutes of the Health and Hospital Committee meeting held on 28.10.2015 (copy enclosed).

1. Considered and approved.

02. To note the minutes of the Finance Committee meeting held on 28.10.2015 (copy enclosed)

02. Considered and approved.

03. To note the minutes of Civil Area Committee meeting held on 09.11.2015 (copy enclosed).

03. Considered and approved.

04. TEMPORARY OCCUPATION OF LAND FOR SALE OF FIRE CRACKERS DURING THE FESTIVAL OF DASSERA AND DIWALI-2015

To note the approval of PCB regarding Temporary Occupation of Land for sale of fire crackers during the festival of Dassera and Diwali-2015.

04. Noted and approved.

05. SUPPLY,INSTALLATION, TESTING AND COMMISSIONING OF CCTV IN CANTONMENT SCHOOLS

To consider the office report regarding e- tenders received in response to the tender advertisement vide this office letter AE/TENDER/2015-2016/P-04 dated 26th August 2015 for the work of

Supply,Installation,Testing & Commissioning of CCTV in Cantonment Schools.

As per the report received E-tenders (Financial Bid) were opened on 14th Oct.2015 at 17:43 Hrs. by the Committee Members .

The details are as below :

Sr.No.	Name of Tenderer	Amount quoted Rs.
1	M/s Nishita Electronics Pvt. Ltd	324030
2	M/s Associated Engineers	387300
3	M/s Pearl Computer Servises	445266

The lowest rates quoted by M/s Nishita Electronics has Rs. 3,24,030/- for the subject work. Compared with the prevailing market rates, it is found that the rates received are reasonable (Detail chart Enclosed).

In this connection the above said tender along with the comparative statement and other relevant paper are placed on the table.

05. Considered and approved the lowest rates of Rs. 3,24,030/-quoted by M/s Nishita Electronics, for Supply, Installation, Testing and Commissioning of CCTV in Cantonment Schools.

6. UNAUTHORISED CONSTRUCTION: H.NO. 61, SANGAMWADI, KIRKEE.

To consider office report from Engineering section for issue of notice u/s 248 & 320 of the Cantonments Act 2006, to Smt. Radhabai Krishna Chaptekar, House No. 61, Sangamwadi, Kirkee for undertaking unauthorized construction on private land the residential premises admeasuring 21' x 30' (less 2'6" x 6' duct) consisting of a hall. The unauthorized construction on site was stopped on 13 Aug. 2015 during general round of the area, at the foundation level, even some of the construction materials were confiscated from the site on the same day with the help of encroachment squad and fire brigade. The individual was also instructed vide this office

letter no. SW/61/P-32 dated 20 Aug. 2015 to stop the unauthorized construction on site and to show cause as to why action be not initiated against the unauthorized construction as per the Cantonments Act, 2006. Even the building plan submitted by the individual after that was returned back without sanction as the same was not complying with the stipulated terms and conditions. In spite of this Smt. Radhabai Krishna Chaptekar continued with the construction activity during holidays and night time. The land is classified as B-2 (Private) under the management of the Collector outside notified civil area of the Cantonment.

In this connection the office report along with other relevant papers are placed on the table.

06. Discussed and pending for detailed fresh site report examination by engineering section.

7. TENDERS FOR VARIOUS ANNUAL TERM CONTRACTS FOR 2015-2016 AND OTHER DEVELOPMENTAL WORKS.

(i) To consider office note of Engineering section regarding opening of the e-tenders for various Annual Term Contracts for 2015-2016 and other developmental works.

Technical bids of e-tenders for the various Annual Term Contracts for 2015-2016 (18 no. of works) and other developmental works (08 nos out of which 05 works are out of MP/MLA funds) were opened on 18th Nov. 2015 in response to the tender advertisement published vide this office letter AE/Tender/2015-2016/P-24 dated 15th Oct. 2015 captioned in Times of India, Lokmat (Marathi) and Bharat Diary (Hindi) local daily newspapers.

(ii) Out of above mentioned 26 works for which tenders were invited for 18 works tenders were invited for third time; for 04 works it was for second time; for 03 works for fourth time and for 01 work for fifth time. On opening of the technical bids on 18th Nov. 2015 it has been observed that

- a) For 01 work i.e. for maintenance of CCTV, 04 tenders have been received.
- b) For 15 works where it is either third or subsequent calls no response has been received.
- c) For 01 work i.e. for maintenance of External electrification, where it is third call 02 tenders have been received.
- d) For following 05 works where it is third call 01 tender has been received.
 - i) General repairs like fabrications, roofing, chain-link fencing etc;
 - ii) Maintenance of Internal electrification;
 - iii) Provision of a fountain in Environmental Park (Out of MP Funds);
 - iv) Provision of Pathway in Environmental Park (Out of MP Funds); and
 - v) Provision of entrance gate in Environmental (Out of MP Funds).
- e) For 02 works where it is second call 01 tender has been received.
- f) For 02 works where it is second call no response is received.

(iii) Further, on scrutiny of the documents attached by various tenderers along with the technical bid as mentioned above it has been observed that :-

- a. In case of CCTV maintenance i.e a) above out of the 04 tenderers, 03 have submitted the requisite documents; hence qualify for opening of financial bid.
- b. In case of (c) above i.e. for the work of external electrification both the tenderers have submitted the requisite documents.
- c. In case of (d) above i.e. 05 works all the tenderers have submitted the requisite documents.

(iv) Matter is placed on the table for consideration and decision of opening of financial bid for the works wherein it is third or subsequent calls and number of the tenders received is either 01 or 02 as the case may be.

In this connection the office report along with other relevant papers are placed on the table.

7. The issue considered and discussed in detail. Shri Duryodhan Bhapkar, Chairman F.C., expressed concern about a tender condition of holding the Security Deposit for period of 3 years by Board and also informed that in MES, contractors are paying Security Deposit for 1(one) year only. The PCB desired to peruse the provisions in the General Conditions of Contractors adopted by MES organization, to clarify the issue of “Defects Liability Period” for which the Contractors are paying Security Deposit. A Copy of the IAFW-2249 (General Conditions of Contracts) followed by MES Organisation was put up to PCB. After referring Clause 46 of inspection of work wherein there is specific provision Defects Liability period of 12 months, it was resolved to change the present condition of Defect Liability Period of 3 (Three) years mentioned in Tender to 1 (one) year from the date of successful completion of work. It was resolved to recall all the tenders accordingly.

The PCB sought to know the issue about the delay in making payment to the Contractors, if any, upon the statement made by some elected members. In this regard CEO clarified that regular payments are made to Contractors as per the norms of the Cantonment Board and no any instance of delay of payment has occurred or come to his knowledge so far. The PCB suggested that if at all the Contractors have any problem regarding timely payment of their bills they may approach the CEO or PCB directly, who would look into the matter personally.

8. ANNUAL TENDER FOR COLLECTION OF VEHICLE ENTRY FEE FOR THE YEAR 2015-2016

The matter was discussed in the Board vide Spl. CBR No.1 dated 06/11/2015 and the Board resolved to obtain legal opinion before taking further decision in the matter.

The legal opinion obtained from CLA is placed on the table for taking appropriate decision in the matter.

8. Considered the matter and the legal opinion received from CLA was perused and discussed by the Board. The Board also considered and discussed letters dt. 24/11/2015 and dt. 26/11/2015 submitted by the present Agency i.e. Shri S.M. Autade Pvt. Ltd., again stating his inability to continue with the work while raising the same issues and contentions once again which were already considered and disposed of by the Board on previous occasions. The Board also considered and discussed all other contentions of Shri S.M Autade mentioned in these letters. After detailed discussion and due consideration of these letters, legal opinion and relevant facts and circumstances, it was resolved to Re-call the tenders.

It was also reiterated that the present Agency i.e. Shri S.M. Autade Pvt. Ltd., shall continue the work of collection of VEF and make regular weekly payments as per the terms and conditions of the tender and Agreement, as has already been intimated to them.

9. WRIT PETITION NO 10058 OF 2015

SHRI. MOHAMMAD WIQUAR AND OTHERS

v/s

1. The Union Of India
2. The State Of Maharashtra
3. Chief Executive Officer, Kirkee
4. Chief Executive Officer, Zp, Pune
5. The Principal, Dr. Zakir Hussain Urdu High School, Kirkee
6. The Principal, Moledina Urdu Primary School, Kirkee

To consider the office report of CA dt.24/11/2015 with regard to the Writ Petition No. 10058 of 2015 filed by Shri. Mohammad Wiqar Mohammad Iftekhar and others in the High Court of Mumbai.

The Petitioners are working as Asst Teachers on contract basis in Board's Schools.

In order to defend the case on behalf of Cantonment Board, Kirkee, a Counsel legal firm is to be engaged to defend the case, and the details of the case need to be forwarded to them to prepare a Draft reply along with the VAKALATNAMA. The date of hearing is on **21/12/2015**.

At present two cases of the Cantonment Board, Kirkee are being dealt by ALMT legal, Adv and Solicitors, Mumbai.

The relevant papers on the subject matter are placed on the table.

9. Matter considered and the Board resolved that the case may be referred to ALMT legal, Adv. and Solicitors, Mumbai, for defending the case, on behalf of the Cantonment Board and other connected Respondents. It was also decided that they may be asked to prepare a draft reply alongwith the VAKALATNAMA and send the copy of the same to the CEO, before the Hearing to be held on 21/12/2015. The CEO was authorized to take all necessary steps and make necessary payments required for defending the Writ Petition.

It was also decided by the Board that a copy of Writ Petition be forwarded to the Education Committee for information.

GENERAL POINTS:

1. Vice President and other members raised the issue of shortfall of teachers and decided to fill up the permanent vacancies of High School teachers since Board receives education grant from the Zilla Parishad. Board resolved to go through the norms of ZP to fill up permanent vacancy wherever required.

Board also suggested that steps may be taken to fill up vacant posts of Class IV employees which are vacant since less than one year.

2. Shri Manish Anand, Member, raised the point that about 200 Mahilla Bachat Gat (Women's Self Help Groups) were registered by the Board during the year 2011. However after that no action has been taken by the Board nor were any facilities provided to them.

The CEO was asked to look into the issue of Mahilla Bachat Gat as soon as possible.

3. Shri Suresh L. Kamble, V.P. , raised the issue of drinking water scarcity in some areas of Cantonment occurred due to less supply from the PMC and suggested to procure at least one additional water tanker and ten stationery tankers to meet the scarcity. He also suggested to consider taking steps and feasibility of drilling new bore-wells in the Cantonment.
