

MINUTES OF 1st MEETING OF SCREENING COMMITTEE FOR THE YEAR 2023-24 HELD ON 16-06-2023 UNDER THE CHAIRMANSHIP OF HON'BLE DEPUTY CHIEF MINISTER FOR PROCUREMENT OF PIPES/GI WIRE.

The following were present:

Shri Amitabh Awasthi, Member
Secretary (Jal Shakti) to the
Government of Himachal Pradesh.

Shri Rajeshwar Goel Member
Managing Director,
H.P. State Civil Supplies Corp. Shimla-9.

Shri Sharad Kumar Lagwal, Member
LR-cum- Secretary (Law),
to the Government of Himachal Pradesh.

Shri Vinay Kumar , Member
Additional Secretary (Finance),
Rep. of Addl. Chief Secretary (Finance),
to the Government of Himachal Pradesh.

Shri Anil Thakur, Member
Deputy Director (Industries)
Rep. of Controller of Stores,
Industries Department H.P.

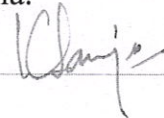
Er. Sanjeev Kaul, Member Secretary.
Engineer-in-Chief,
Jal Shakti Vibhag H.P.

At the outset, the Member Secretary welcomed the Hon'ble Deputy Chief Minister & other members of the Committee.

After a brief presentation by Member Secretary on composition of State Level Screening Committee and its mandate, discussion on agenda items followed as under:

Item No. I : Confirmation of Minutes of 3rd Meeting of Screening Committee for the year 2022-23:

Committee confirmed the minutes of last meeting of Screening Committee held on 11.08.2022 at Shimla.



Item No. II: Approval of annual requirement of G.I. Pipes for the year 2023-24.

Member Secretary explained that annual requirement of 19889 MT G.I. Pipes {12012 MT under Jal Jeevan Mission + 1033 MT under AMRUT+ 6844 MT under other Head} for year 2023-24 has been received from the Chief Engineer Shimla, Mandi, Hamirpur & Dharmshala Zones. Zone wise detail of requirement recommended by respective Zonal Level Committee is as under:

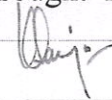
Annual Requirement of G.I. Pipes for the year 2023-24					
Sr. No.	Name of Zone	G.I. Pipe (In Metric Tonne)			Total Quantity
		Jal Jeevan Mission	AMRUT	Other Head (State, NABARD & Deposit)	
1	Shimla	4607	1033	2025	7665
2	Mandi	1293	0	2163	3456
3	Hamirpur	2990	0	1034	4024
4	Dharmshala	3126	0	1622	4748
	Total:	12012	1033	6844	19889

Further, Member Secretary apprised the Screening Committee that JJM Annual Action Plan has been approved for Rs. 1274.81 Cr by GoI for F.Y. 2023-24. Budget provision under other heads of Water Supply Sector for CFY is Rs. 274.00 Cr.

Tentative cost of procuring 19889 MT G.I. Pipes is Rs. 226.66 Cr {i.e. 12012 MT JJM- Rs. 132.13 Cr + 1033 MT AMRUT - Rs. 12.40 Cr+ 6844MT other Heads - Rs. 82.13 Cr}.

The validity of the tender of G.I. Pipes called for Financial Year 2022-2023 has already expired on 31.03.2023 and it has been proposed to call fresh online tender for G.I. Pipes procurement through e-procurement for the FY 2023-24.

The Chairman desired to know about GI Pipes lying unutilized in various Divisions. It was informed by Member Secretary that about 34000 MT G.I. Pipes is available in field Divisions. The Chairman expressed deep concern over huge quantity of unutilized pipes, mostly lying along road side and directed that explanation be sought from concerned



Divisions and appropriate action should be initiated against erring officers in case of default.

He also desired that a high level committee be constituted at state level to screen the requirement received from various zones keeping in view the budget availability and physical targets for the corresponding year before putting it up to State Level Screening Committee for consideration.

Secretary (JSV) assured that such committee shall be constituted shortly for all future procurement.

After detailed discussion the Committee approved the requirement totaling 19889MT and authorized the Department to call online tenders through e-procurement for CFY.

Agenda Item No.-III Approval of annual requirement of D.I. Pipes for the year 2023-24.

The Member Secretary apprised the Screening Committee that tender for procurement of D.I. Pipes could not be finalized for the last two years due to litigation/Court matters, by one of the firm named M/s Rashmi Metaliks Limited, Kolkata vis-a-vis terms and condition no 32 (x) of the tender document which was approved by Screening Committee and is reproduced as under :

Terms and Condition No.	Existing Terms & Condition	Changed in 1 st DNIT	Amended after order of Hon'ble High Court
32 (x)	Affidavit by the firm that any Government Department / Government Undertaking / Board in the country have not blacklisted it.	The tenderer should not have been blacklisted / debarred / disqualified/ disallowed to supply DI Pipes in case of EPC Contracts/ Turnkey Contracts / Supply Orders contract/ Rate Contracts for the entire or any part thereof, by any of the Central/ State Govt./ Board/ Corporation/as procuring entity in India with respect to quality issues, contractual default, fraudulent conduct etc. in	Firm shall not be eligible if it has been blacklisted / debarred/ disqualified/ disallowed to supply D.I. Pipes in case of EPC Contracts/ Turnkey Contracts / Supply Orders contract/ Rate Contracts for the entire or any part thereof, by any of the Central/ State Govt./ Board/ Corporation/as procuring entity in India with respect to quality issues, contractual default, fraudulent conduct etc. in last three years from the date of the

		last three years from the date of the submission of the tender. The tenderer will submit affidavit thereof duly notarized (with Seal) in respect to the above condition. The tenderer shall not be eligible if the tenderer has been blacklisted before last three years and the blacklisting has not been revoked by the competent authority.	submission of the tender even if such blacklisting/ debarment/ disqualification/ disallowance has been revoked. However if the firm was blacklisted /debarred / disqualified/ disallowed on account of any of the above reasons before last three years from the date of submission of tender and the same has been revoked by the competent authority, the firms shall be eligible. The tenderer will submit affidavit thereof duly notarized (with Seal) in respect to the above condition.
--	--	--	--

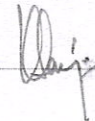
The Hon'ble High Court of Himachal Pradesh had finally decided both the CWPs {CWP No. 3268/2022 & 4929/2022} on 30.11.2022 & dismissed the writ petitions of the firm.

The firm M/s Rashmi Metlaiks Limited had filed a petition for special leave to appeal (No. 22695 /2022) in Supreme Court of India against the final judgment and order dated 30.11.2022 in CWP no. 4929/2022 passed by the High Court of Himachal Pradesh Shimla. Upon hearing the counsel the Supreme Court of India made the following order on dated 15.12.2022, in context to CWP no. 4929/2022.

“Upon our expressing reservations in entertaining this petition, particularly in relation to the reliefs as claimed before the High Court for interference in the tender process, the learned counsel for the petitioner has submitted that even if the process in question forming the subject-matter of writ petition is taken onward with the petitioner being not allowed to participate therein, so far the order dated 18.07.2022 (Annexure P-13) is concerned, the consideration therein suffer from at least two fundamental aspects: (i) a copy of the second complaint allegedly made by Electro steel Casting Limited was not supplied to the petitioner; and (ii) that the conclusion therein, which has also been adopted by the High Court in the order impugned, that the petitioner-company has been disqualified or disallowed by the other States for supply of pipes, had not been correct on facts, In this regard, learned counsel has particularly referred to the contents of response submitted by the petitioner to the Chairperson of the Technical Scrutiny Committee on 22.06.2022, as reproduced at pp.22 to 26 of the order impugned.

With these submissions, learned counsel has submitted that in any case, the order dated 18.07.2022 deserves interference at least in relation to the qualification of the petitioner to participate in the future tender processes.

Issue notice limited only in relation to paragraph 8 (v) of the petition i.e. , on the question as to why the impugned order passed by the High Court and also the



disqualification order dated 18.07.2022 be not interfered with in relation to the participation of petitioner in the future tender processes."

Further, the Member Secretary explained the Screening Committee that, the validity of tender of DI pipes called for the previous financial year had expired on 31.03.2023 thereby necessitating inviting fresh e-tender.

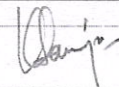
Now, the annual requirement of D.I. Pipes of 2,26,687 Rmt has been received from the Chief Engineer Shimla, Mandi, Hamirpur & Dharmshala Zones. Member Secretary also highlighted the urgency of works being NGT matter and scheduled for completion as per Action Plan submitted by the State.

Member Secretary apprised the Screening Committee that during the year 2023-24, there is a budget provision of Rs. 49.00 Cr in Sewerage Sector. The tentative cost of procuring total 226687 Rmt D.I. Pipes is Rs 42.89 Cr approximately.

Secretary (Law) briefly examined the Hon'ble Supreme Court's interim order vis-à-vis SLP No. 22695/2022 titled by M/s Rashmi Metaliks Ltd. and apprised the Committee that the revised condition no 32(x) has been found to be in order by the Hon'ble Court and as per the above mentioned order of Supreme Court there is no restriction on inviting fresh tenders for supply of D.I. Pipes.

The Committee discussed in detail and did not agree to the proposal of procuring part pipes (126317 Rmt) on through rate basis. It was decided that fresh e-tender be invited for the entire quantity (as per table below) for better participation of bidders and competitive prices:

Annual Requirement of D.I. Pipes for the year 2023-2024			
Sr. No.	Name of Division	Total Quantity (in Rmt)	Tentative Amount (In Cr) as per rate of DGS&D Haryana
1	Jubbal	2400	0.45
2	Rohroo	800	0.16
3	Reckong Peo	3500	0.65
4	Kaza	7907	1.47
5	Paonta	8500	1.58
6	Nahan	1450	0.29



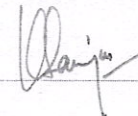
7	Mandi	47200	9.04
8	Sundarnagar	41380	7.69
9	Kullu	2000	0.37
10	Dharmpur Bharari	15600	2.90
11	Chauntra	4580	0.27
12	Hamirpur	13800	2.57
13	Dharmshala	3000	0.56
14	Shahpur	500	0.09
15	Palampur	900	0.17
16	Chamba	1200	0.34
17	Dalhousie	17017	3.17
18	Bharmour	12310	2.29
19	Nalagarh	2526	0.82
20	Una-1	26597	5.49
21	Gagret	5000	0.93
22	Rampur	8520	1.60
	Total:	226687	42.89

Item No. IV: Approval & procurement of annual requirement of HDPE Pipes for the financial year 2023-24:

Member Secretary explained that annual requirement of HDPE Pipes of 5,03,323 Rmt has been received from the Chief Engineer Shimla, Mandi, Hamirpur & Dharmshala Zones.

The material is required for various on-going works in tribal areas for Water Supply Schemes and for State Sector Programme HIMCAD & NABARD under which Command Area Development activity in clusters of minor irrigation schemes is being carried out in the shape of piped distribution network. Sufficient funds for procurement of HDPE Pipes are available.

The representative of Industries Department apprised the Controller of Stores, Industry Department H.P. has concluded annual rate contract for HDPE Pipe which is valid up to 30.09.2023. On the perusal of the HPCOS Rate Contract vis-a- vis annual requirement of HDPE pipe, it was found that, out of the total annual requirement of 5,03,323 Rmt, only about 4,77,486 Rmt HDPE pipe in various diameters is available as per this rate contract. For the balance requirement of 25,837 Rmt HDPE Pipe,

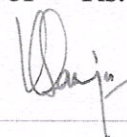


which is not available on rate contract, it was proposed to be procured on through rate basis.

The Division-wise requirement and amount as per HPCOS rate contract is mentioned as under:

Annual Requirement of HDPE Pipes for the year 2023-2024					
Sr. No.	Name of Division	Total Quantity (in Rmt)	Quantity available on Rate Contract (in Rmt)	Amount (in Lakh)	Quantity not available on Rate Contract (Procurement required on through rate)
1	Sunni	27090	27090	18.97	
2	Kasumpati	42707	41740	80.32	967
3	Matiana	18910	13090	11.96	5820
4	Solan	11153	8043	22.26	3110
5	Nalagarh	19580	19580	80.57	
6	Rohru	13400	13400	17.55	
7	Nahan	10240	10240	78.34	
8	Paonta	18870	18870	87.59	
9	Nohradhar	18850	18850	57.76	
10	Mandi	3600	3600	9.67	
11	Karsog	3380	2580	8.99	800
12	Thunag	9050	7550	13.42	1500
13	Katrain	21000	17200	14.19	3800
14	Kullu-I	14750	14500	29.76	250
15	Anni	51480	51080	72.15	400
16	Keylong	114730	114730	50.71	
17	Dharampur Bharari	1900	1900	2.56	
18	Hamirpur	10220	10220	24.80	
19	Amb	27655	27655	123.19	
20	F.P. Gagret	3150	0	0.00	3150
21	Nagrtā	7627	7627	16.36	
22	Bajnath	9500	9500	25.51	
23	Palampur	9591	8351	11.92	1240
24	Chamba	2460	2460	4.65	
25	Dalhousie	5375	3575	7.37	1800
26	Tissa at Bhajraru	5200	2200	1.98	3000
27	Fatehpur	3770	3770	9.31	
28	Nurpur	1835	1835	8.03	
29	No.-1 Una	16250	16250	78.61	
	Total:	503323	477486	968.50	25837

Member Secretary apprised the Screening Committee that during the year 2023-24, there is a budget provision of Rs. 179.35 Cr in



Irrigation Sector and tentative cost of procuring total 4,77,486 Rmt HDPE Pipes is Rs 9.69 Cr.

After detailed discussion the Screening Committee approved the annual requirement of HDPE Pipe and authorized Department to procure 4,77,486 Rmt HDPE Pipes on HPCOS Rate Contract. The balance quantity of 25,837 Rmt, which is not presently available on rate contract, shall be procured on finalization of new rate contract.

Item No. V: Approval of annual requirement of G.I. Wire for the financial year 2023-24.

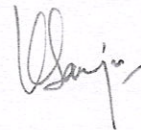
Member Secretary explained that annual requirement of 283.28 MT G.I. Wire has been received from Chief Engineer Mandi Zone for the year 2023-25. The Division wise detail is mentioned as under:

Annual Requirement of G.I. Wire for the year 2023-24			
Sr. No.	Name of Division	Description	Quantity (in Metric Tonne)
1	Mandi	SWG-6, 5.00mm thick	1.28
2	Sundarnagar		128.00
3	Katrian		150
4	Kullu		3
5	Anni		1
		Total	283.28

There is no HPCOS rate contract of G.I. Wire for its procurement since last four years. Hence, it was proposed that Department may be allowed to procure above G.I. Wire on through rates, so that, works of the Department are not held up further.

The representative of Controller of Stores informed the Screening Committee, that the financial bids of G.I. Wire tender have been opened and the case is being sent to Government for finalization. New rate contract of GI Wire is likely to be finalized by 15th July 2023.

The Committee approved the above requirement and decided to procure the same on HPCOS Rate Contract as & when finalized.



Item No. VI: Extension in delivery period without price variation against supply orders dated 20.07.2022 & 02.08.2022 in favour of firm M/s Swastik Pipes Limited.

The Committee considered the request made by firm M/s Swastik Pipes Limited for extension in delivery period without price variation against supply orders dated 20.07.2022 & 02.08.2022.

After detailed discussion the Committee did not agree to the request being devoid of merit.

Item No. VII: Request for waiver of Liquidated Damages amount Rs, 2,03,016/- against Supply Order of G.I. Pipes No. HPSCSC/Pro./1-36/2022-23 (GI Pipes)-10313-10346 Dated 29.08.2022 in favour of M/s Tata Steel Limited.

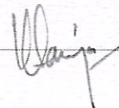
The Committee considered the request of firm M/s Tata Steel Limited and agreed to extend the delivery period GI Pipes beyond the stipulated period without price escalation since the firm has lodged FIR for one truck load pipe which was lost during transit and had replaced the ordered quantity at their cost .

In addition to above items, the Member Secretary informed the Committee that some additional requirement of Pipes has been received after the circulation of memorandum and proposed the following additional item with the permission of the Hon'ble Chair:

Additional Item No.-I Additional Requirement of G.I. Pipes under Jal Jeevan Mission for the year 2023-24.

The Member Secretary explained that Chief Engineer Hamirpur Zone has submitted the additional requirement of G.I. Pipes required under Jal Jeevan Mission Programme by the Division No.-1 Una during CFY. The Dia wise requirement is as under:

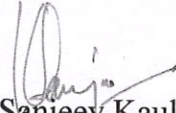
Additional requirement of G.I. Pipes required under Jal Jeevan Mission Programme during 2023-24		
Sr. No.	Dia of Pipe	Quantity in Metric Tonne
1	15mm (L) S&S	20 MT
2	20mm (L) S&S	10 MT
3	25mm (L) S&S	40 MT





4	32mm (L) S&S	10 MT
5	40mm (L) S&S	40 MT
6	50mm (L) S&S	40 MT
7	65mm (L) S&S	30 MT
	Total:	190 MT

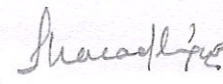
The Committee approved the requirement and decided to include the same in tender quantity for calling of fresh tender vide agenda item No.-II.

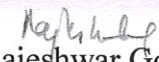
Meeting ended with a vote of thanks to and from the Chair.

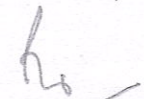

(Er. Sanjeev Kaul)
Member Secretary-cum-
Engineer-in-Chief,
Jal Shakti Department H.P.

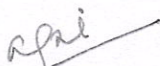

(Shri Anil Thakur)
Deputy Director (Industries),
Rep. of Controller of Stores,
Department of Industries, H.P


(Shri Vinay Kumar)
Additional Secretary (Finance),
Rep. of Addl. Chief Secretary (Finance)
to the Government of H.P.



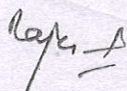

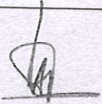
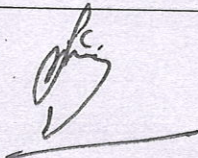

(Shri Sharad Kumar Lagwal)
LR-Cum-Secretary (Law),
To the Government of H.P.


(Shri Rajeshwar Goel)
Managing Director,
H.P. State Civil Supplies Corporation.


(Shri Amitabh Awasthi)
Secretary (Jal Shakti Vibhag)
to the Govt. of Himachal Pradesh.


(Shri Mukesh Agnihotri)
Hon'ble Deputy Chief Minister,
Government of Himachal Pradesh.

1st Meeting of the Screening Committee for the financial year 2023-24 held on 16th June 2023 (Friday) at 4:00 PM under the Chairmanship of Hon'ble Deputy Chief Minister (Jal Shakti Minister) of Himachal Pradesh in his office chamber at HP Secretariat Shimla-171002.

Sr. No.	Name & Designation of officers.	Signature
1	Amitabh Arasthi Secy. JSV	
2	Shreed Kumar Lohwar Sec (Law)	
3	Rajishwar Goel MD, H.P. State Civil Supplies Corpn.	
4	Anil Thakur Dy. Director Industries Rep. of Controller of stores	
5	Arvind Kr. Sharma G.M., H.P. State Civil Supplies Corp.	
6	VINAY KUMAR, Additional Secretary (Finance) KASID	
7		
8		
9		