

MINUTES OF 2nd MEETING OF SCREENING COMMITTEE FOR THE YEAR 2023-24 HELD ON 15.09.2023 UNDER THE CHAIRMANSHIP OF HON'BLE DEPUTY CHIEF MINISTER FOR PROCUREMENT OF PIPES/GI WIRE.

The following were present:

Shri Onkar Sharma, Member
Principal Secretary (Jal Shakti) to the
Government of Himachal Pradesh.

Shri Maneesh Garg, Member
Principal Secretary (Finance) 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 Amit, Member
Additional Controller Stores (Industries)
Rep. of Controller of Stores,
Industries Department H.P.

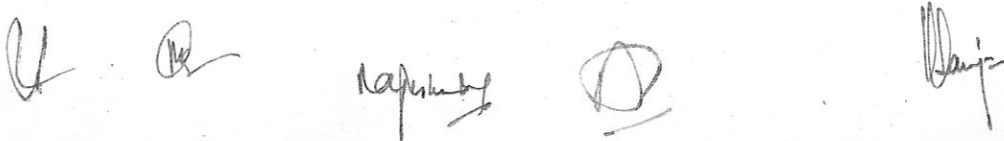
Er. Sanjeev Kaul, Member Secretary.
Engineer-in-Chief,
Jal Shakti Vibhag H.P.

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

Thereafter, discussion on agenda items followed as under:

Item No. I : Confirmation of Minutes of 1st Meeting of Screening Committee for the year 2022-23:

Committee confirmed the minutes of last meeting of Screening Committee held on 16.06.2023 at Shimla.



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

The Member Secretary explained that in the previous meeting of Screening Committee held on 16.06.2023, following decision was taken:

“After detailed discussion the Committee approved the requirement totaling 20079 MT (19889MT+190 MT) and authorized the Department to call online tenders through e-procurement for CFY”.

As per decision of Screening Committee, the online tender for procurement of 20079 MT G.I. Pipes was called on 21.06.2023 and the technical bids were opened on 17.07.2023. Total sixteen firms participated in the tender. The detail of the participating firms is as under:

Sr. No.	Bid No	Bidder	Bid Submission Date	Mode of Payment
1	356730	M/s Rama Steel Tubes Limited, B-21, B-25/1, Site No. 4, Industrial Area, Sahibabad (UP)-201010.	01.07.2023	Offline
2	356855	M/s Nippon Tubes Limited, Khasra No. 1009, Bisrakh Road, Chhapraula, Gautam Budh Nagar, Greater Noida, Uttar Pradesh-201306.	11.07.2023	Offline
3	356917	M/s Swastik Pipes Limited, 97 KM, Mile Store, Delhi Mathura Road, NH2, Village: Kotwan, Kosikakan, Distt: Mathura, Uttar Pradesh.	10.07.2023	Offline
4	357044	M/s Tata Steel Limited (Tube Division), Jamshedpur-831007, India.	11.07.2023	Online
5	357357	M/s Jindal Pipes Limited, 22nd Mile Stone, Delhi- Hapur Road, P.O. Jindal Nagar-201302	06.07.2023	Online
6	357394	M/s Hi-Tech Pipes Limited, Plot No. -10, Industrial Area, Sikandrabad-203205	15.07.2023	Offline
7	357438	M/s Good Luck India Limited, A-45, Industrial Area, Sikandrabad	15.07.2023	Offline
8	357941	M/s Vishal Pipes Limited, (Unit No.-II), A-71, Industrial Area, Sikandrabad. District Bulandshahr Uttar Pradesh-203205.	15.07.2023	Offline
9	357974	M/s Gaurang Products Pvt. Ltd., Plot No.10, South Side of GT Road, Bulandshahr Road, Industrial Area Ghaziabad.	15.07.2023	Offline
10	358433	M/s Ravindra Tubes (Pvt) Ltd. -10 K.M. Stone, Delhi Road, Hisar-125044.	11.07.2023	Offline
11	358506	M/s APL Apollo Tubes Limited, A-19, Industrial Area, Sikandrabad-203205	10.07.2023	Offline
12	358526	M/s JTL Infra Limited, Village Gholumajra,	15.07.2023	Offline

		Derabassi, Ambala Highway, Punjab		
13	359253	M/s Jindal Industries Private Limited, Delhi-Road, Model Town, Hisar-125005	11.07.2023	Offline
14	359381	M/s Shivam Overseas, Villgae Guma, Tehsil, Raipur-492099	08.07.2023	Offline
15	359681	M/s Surya Roshni Limited, Parkashnagar, Bahadurgarh-124507	14.07.2023	Offline
16	359914	M/s Shree Nakoda Pipe Impex Private Limited-PH No. 13, Village Khamariya, Tilda-493116 Raipur, Chhattishgarh	15.07.2023	Online

After scrutiny of technical bids of all the participating firms by the Technical Scrutiny Committee headed by the Chief Engineer (Shimla Zone), financial bids of all firms which were technically eligible {except M/s Shivam Overseas & M/s Shree Nakoda Pipe Impex Private Limited, which were found ineligible} were recommended for opening. Accordingly financial bids of fourteen eligible firms were opened on 31.07.2023 and found to be in order. The tender case was further recommended for consideration by the Negotiation Committee headed by Engineer-in-Chief (Jal Shakti). The meeting of Negotiation Committee was held on 19.08.2023 in which all five L-1 firms attended the meeting.

As per comparative statement generated online, as well as, financial bids of all 14 participating firms, 5 firms were found L-1 in various dias and detail of L-1 firms is as under:

Sr. No.	Name of L-I firm	L-1 Qty. against tender opened on 17.07.2023
1	M/s Swastik Pipes Limited	11366 Metric Tonne
2	M/s Nippon Tubes Limited	4907 Metric Tonne
3	M/s Surya Roshni Limited	3597 Metric Tonne
4	M/s Goodluck India Limited	189 Metric Tonne
5	M/s Hi-Tech Pipes Limited	20 Metric Tonne
		20079 Metric Tonne

Quoted rates of all items were found well below the justification prepared keeping in view the rates of raw material i.e. HR Coil from SAIL and Zinc from M/s Hindustan Zinc Limited (HZL) for the month of May, 2023 and considering the consumption, wastage, conversion charges, inspection charges, profit and GST as per past pattern followed in G.I. Pipes procurement.

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Further, the Negotiation Committee also compared the rates with the previous year's awarded rates, after allowing price variation of HR Coil & Zinc for the month of May, 2023 (base of instant tender) and further considering the approximate increase of 2% on account of increase of POL charges, Labor charges, Electricity charges & transportation charges etc.

Clarification and financial negotiation with all L-1 firms was done one by one. After great persuasion, rates quoted by L-1 firms for some dias were got reduced. The negotiated rates are based on rate of HR Coils for May, 2023 i.e. Rs. 58300/- PMT and monthly average rate of Zinc for May, 2023 i.e. Rs. 2,45,322/- PMT. The validity of these rates is up to 31.03.2024.

Dia wise detail of quoted, negotiated and justified rates is as under:

Dia wise rates negotiated during the year 2023-24 (Valid up to 31.03.2024) based on rates of HR Coils for May, 2023 i.e. Rs. 58300/- PMT and monthly average rate of Zinc for May, 2023 i.e. Rs. 2,45,322/- PMT						
Sr. No	Dia & Class of Pipes	Item Code	Rail Head quoted Rate With Tax	Justification as per previous awarded Rail rates {updated rates May 2023}	Justified Rail Head Rates May 2023}	Negotiated Rail Head Rates (Per Metric Tonne)
1	15mm Screwed & Socketed Light Class	item1	101653.46	102083.32	111818.34	101653.46
2	15mm Screwed & Socketed Medium Class	item2	97930.56	97879.39	106275.54	97446.56
3	20mm Screwed & Socketed Light Class	item3	96223.10	96473.32	108761.06	96048.10
4	20mm Screwed & Socketed Medium Class	item4	96780.06	96473.32	106351.15	96047.06
5	25mm Screwed & Socketed Light Class	item5	91332.00	91271.32	106318.07	91200.00
6	25mm Screwed & Socketed Medium Class	item6	86652.82	91271.32	102896.94	86552.82
7	25mm Screwed & Socketed Heavy Class	item7	87016.63	91271.32	99943.62	86916.63
8	32mm Screwed & Socketed Light Class	item8	89473.50	90404.32	106261.37	89400.00
9	32mm Screwed & Socketed Medium Class	item9	90149.38	90404.32	102835.51	89749.38
10	32mm Screwed & Socketed Heavy Class	item10	89457.88	90251.32	99929.44	89357.88

11	40mm Screwed & Socketed Light Class	item11	87917.59	89527.12	104390.14	87867.59
12	40mm Screwed & Socketed Medium Class	item12	88817.42	90251.32	102873.32	88727.42
13	40mm Screwed & Socketed Heavy Class	item13	88149.16	89868.82	99787.68	88049.16
14	50mm Screwed & Socketed Light Class	item14	87717.35	89527.12	104281.46	87717.35
15	50mm Screwed & Socketed Medium Class	item15	84561.81	89333.32	101153.30	84561.81
16	50mm Screwed & Socketed Heavy Class	item16	85305.68	89333.32	98559.10	85305.68
17	65mm Screwed & Socketed Light Class	item17	88295.75	89486.32	102712.65	87745.75
18	65mm Screwed & Socketed Medium Class	item18	85741.81	89486.32	101110.77	85641.81
19	65mm Screwed & Socketed Heavy Class	item19	86839.68	88981.42	98440.97	86739.68
20	80mm Screwed & Socketed Light Class	item20	89397.83	89435.32	102618.15	89043.83
21	80mm Screwed & Socketed Medium Class	item21	87653.21	89435.32	99740.43	87653.21
22	80mm Screwed & Socketed Heavy Class	item22	86542.43	88415.32	97467.55	86542.43
23	100mm Screwed & Socketed Light Class	item23	88710.25	88313.32	101011.54	87927.25
24	100mm Screwed & Socketed Medium Class	item24	87064.98	88313.32	98370.09	86614.98
25	100mm Screwed & Socketed Heavy Class	item25	85978.26	88313.32	96673.70	85978.26
26	125mm Screwed & Socketed Medium Class	item26	86657.01	90659.32	97732.17	86657.01
27	125mm Screwed & Socketed Heavy Class	item27	86168.89	89537.32	96574.47	86168.89
28	150mm Screwed & Socketed Medium Class	item28	86870.70	87803.32	97680.19	86870.7
29	150mm Screwed & Socketed Heavy Class	item29	86168.89	86987.32	96692.60	86168.89
30	15mm Plain Ended Light Class	item30	102298.58	102083.32	111747.94	101628.58
31	15mm Plain Ended Medium Class	item31	96361.04	96534.72	106221.50	96101.04
32	20mm Plain Ended Light Class	item32	95171.11	94322.14	108699.68	92471.11
33	20mm Plain Ended Medium Class	item33	93416.56	94322.14	106296.88	92516.56
34	25mm Plain Ended Light Class	item34	92004.42	91271.32	106263.90	89504.42
35	25mm Plain Ended Medium Class	item35	89669.49	91271.32	102852.87	89469.49
36	25mm Plain Ended Heavy Class	item36	87673.30	90455.32	99908.26	87673.30
37	32mm Plain Ended Light Class	item37	90149.38	90353.32	106207.37	89749.38
38	32mm Plain Ended Medium Class	item38	89061.16	89180.32	102791.62	88761.16
39	32mm Plain Ended Heavy Class	item39	87164.55	89180.32	99894.13	87164.55

40	40mm Plain Ended Light Class	item40	88574.26	90149.32	104341.66	88424.26
41	40mm Plain Ended Medium Class	item41	81700.45	86171.32	102829.31	81700.45
42	40mm Plain Ended Heavy Class	item42	82787.83	86171.32	99752.79	82787.83
43	50mm Plain Ended Light Class	item43	85323.13	89435.32	104233.30	85323.13
44	50mm Plain Ended Medium Class	item44	85589.59	89200.72	101114.37	84589.59
45	50mm Plain Ended Heavy Class	item45	85625.46	89129.32	98527.83	85625.46
46	65mm Plain Ended Light Class	item46	85901.53	89435.32	102669.13	85901.53
47	65mm Plain Ended Medium Class	item47	83937.59	87981.82	101071.97	83937.59
48	65mm Plain Ended Heavy Class	item48	84681.46	87803.32	98410.04	84681.46
49	80mm Plain Ended Light Class	item49	87947.61	88925.32	102574.90	87947.61
50	80mm Plain Ended Medium Class	item50	86438.99	88323.52	99705.67	86438.99
51	80mm Plain Ended Heavy Class	item51	85033.21	86171.32	97439.50	85033.21
52	100mm Plain Ended Light Class	item52	86611.03	87721.72	100973.03	86611.03
53	100mm Plain Ended Medium Class	item53	85496.76	87721.72	98339.37	85496.76
54	100mm Plain Ended Heavy Class	item54	84410.04	87293.32	96647.99	84410.04
55	125mm Plain Ended Medium Class	item55	84970.79	88211.32	97703.34	84970.79
56	125mm Plain Ended Heavy Class	item56	83420.67	87089.32	96549.05	83420.67
57	150mm Plain Ended Medium Class	item57	85538.48	85661.32	97651.51	85288.48
58	150mm Plain Ended Heavy Class	item58	84836.67	85049.32	96666.84	84636.67

While evaluating the offer/ negotiated rates the Principal Secretary (Jal Shakti Vibhag) desired that in future average month wise raw material rates for last three years should also be placed before the Screening Committee to analyze the market trend.

Member Secretary apprised the committee that Chief Engineer (Shimla Zone) has revised & reduced their annual requirement of G.I. Pipes for the year 2023-24, as under:

Head	Annual Requirement approved by SCM for the year 2023-24.	Revised requirement for the year 2023-24
Jal Jeevan Mission	4607 MT	4519 MT
AMRUT	1033 MT	1033 MT

Other Head (State, NABARD & Deposit)	2025 MT	1580 MT
Total:	7665 MT	7132 MT

Accordingly the total revised annual requirement is works out as under:

Revised Requirement of Pipes for the year 2023-24					
Sr. No.	Name of Zone	G.I. Pipe (In Metric Tonne)			Total Qty. (IN MT)
		Jal Jeevan Mission	AMRUT	Other Head (State, NABARD & Deposit)	
1	Shimla	4519	1033	1580	7132
2	Mandi	1293	0	2163	3456
3	Hamirpur	3180	0	1034	4214
4	Dharmshala	3122	0	1622	4744
	Total:	12114	1033	6399	19546

Member Secretary also stated that the Annual Action Plan for Rs. 1274.81 Crore has been approved by Government of India for financial year 2023-24 to implement the Jal Jeevan Mission in the State. Further the budget provision under other heads of Water Supply Sector for current financial year is Rs. 274.00 Crore. The tentative cost of procuring of 19546 MT G.I. Pipes is as under:

Head	Annual Requirement or the year 2023-24.	Tentative Cost as per Negotiated rail Head rates.
Jal Jeevan Mission	12114 MT	110.24 Core
AMRUT	1033 MT	9.06 Crore
Other Head (State, NABARD & Deposit)	6399 MT	56.58 Crore
Total:	19546 MT	175.88 Crore

Only five firms have quoted lowest rates for different dia of pipes, out of which the maximum quantity has been quoted by one firm and the delivery period of supply of G.I. Pipes is only 60 days. Therefore, it was proposed to offer all the participating firms for matching the negotiated rail head rates, so that, supply orders could be placed to these firms also, as per their manufacturing capacity, as well as, previous supply position for the timely receipt of the pipes.

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Additional Controller of Stores informed the committee that Industry Department and HPSEB have adopted "reverse bidding" system for e-procurement made for value more than Rs. 2.00 Crore and similar system can be adopted by Jal Shakti Vibhag for pipe procurement.

Hon'ble Chairman desired that possibility of adopting such system for pipe procurement in Jal Shakti Vibhag through NIC e-procurement module be explored to ensure more competitive rates in future procurement. He also directed that videography should be done while dispatch of goods from factory premises, as well as, at the time of receipt at consignee end. Besides, GPS tracking of loaded trucks should be introduced to avoid chance of any pilferage during transit.

After detailed discussion & deliberations, the Committee approved the negotiated rail head rates of G.I. Pipes valid up to 31.03.2024 and authorized Jal Shakti Vibhag to seek consent from all eligible firms for supplying material on L-1 negotiated rail head rates up to 31.03.2024.

Further the committee approved to place the supply orders of 19546 Metric Tonne, as per offer/ manufacturing capacity and previous supply position of the firms.

Item No.-II

Finalization of tender of D.I. Pipes and procurement of D.I. Pipes for the year 2023-24.

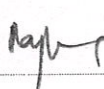
Member secretary explained that in 1st meeting of Screening Committee meeting held on 16.06.2023, following decision was taken for procurement of D.I. Pipes:

"It was decided that fresh e-tender be invited for the entire quantity i.e. 226687 Rmt. for better participation of bidders and competitive prices".

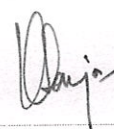
As per decision of Screening Committee, the online tender for procurement of 226687 Rmt. D.I. Pipes was called on 21.06.2023 and the technical bids were opened on 17.07.2023. Total three firms participated in the tender. The detail of the participating firms is as under:

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Sr. No.	Bid No	Bidder	Submitted Date	Mode of Payment
1	356937	M/s Jai Balaji Industries Limited, Village-Banskopa, PO-Rajbandh, District Burdwan, West Bangal-713212, India.	15.07.2023	Online
2	357695	M/s Jindal Saw Limited, Samghogha, Mandvi Pragpur Road, Taluka Mundra, Bhuj, District Kutch, Gujrat-370415.	15.07.2023	Online
3	359216	M/s Tata Metaliks Limited, Village Gakulpu, P.O. Samraipur, Khargpur: 7231301.	15.07.2023	Online

The technical bids of above firms were scrutinized by the Technical Committee based on the terms and conditions of the NIT. On perusal of documents uploaded by the firm M/s Jindal Saw Limited, it was found that the firm was blacklisted by Govt. of Manipur, Public Health Engineering Department Manipur vide letter no. CE/PHE3-94/NDB (G)/P-IV/2019/2089 dated 28.09.2022 but the same was withdrawn by same Govt. vide letter no. CE/PHE/3-94/NDB (G)/P-IV/2019/2864 dated 16.12.2022. The Deputy Director Legal (JSV) suggested that the order has already been withdrawn by Manipur Government vide order No. CE/PHE/3-94/NDB (G)/P-IV/2019/2864 Imphal dated 16.12.2022, Therefater M/s Jindal Saw Limited should be considered. However the Technical committee decided that before processing the tender further, clarification regarding blacklisting of firm M/s Jindal Saw Limited be sought from concerned Manipur Government authorities.

Accordingly the matter was taken up to with Chief Engineer, PHED Govt. of Manipur and vide his office letter no. CE/PHE/DI/2023/1030 Imphal 31st July, 2023, it was informed by Chief Engineer (PHED) Manipur that M/s Jindal Saw limited was blacklisted on 28th September 2022 vide no. CE/PHE/3-94/NDB(G)/P-IV/2019/2089 and the same has withdrawn on 16th December, 2022 vide No. CE/PHE/3-94/NDB(G)/P-IV/2019/2864.

Further, clarification was again sought from PHED Manipur as to whether the blacklisting of M/s Jindal Saw Limited has been withdrawal from the date of blacklisting i.e. 28th September, 2022 or the date

of issue of letter of withdrawn i.e. 16th December 2022. In response, Chief Engineer, PHED Govt. of Manipur intimated that the blacklisting order vide no. CE/PHE/3-94/NDB(G)/P-IV/2019/2089, dated 28th September, 2022 and office memorandum No. CE/PHE/3-94/NDB (G)/P-IV/2019/2123 dated 05th October, 2022 stands withdrawn from the date of inception.

After scrutiny of technical bids of all the participating firms by the Technical Scrutiny Committee headed by the Chief Engineer (Shimla Zone), financial bids of all firms were opened on 11.08.2023 and were found to be in order and the tender case was further recommended for consideration by the Negotiation Committee headed by Engineer-in-Chief (Jal Shakti). The meeting of Negotiation Committee headed by Engineer-in-Chief (JSV) was held on 19.08.2023 in which only two L-1 firms M/s Jindal Saw Limited & M/s Tata Metaliks Limited participated. Third L-1 firm M/s Jai Bala Ji Industries Limited informed through email dated 19.08.2023 that *"We have already provided a competitive pricing for the mentioned bid, and our prices are firm and fixed. Therefore we will not be able to offer any further discount on our quoted price. All our quoted prices and term and conditions remain unchanged"*.

As per online generated comparative statement, as well as, financial bids of all the three participating firms, the detail of L-1 firms is mentioned as under:

Bidder wise Comparative Statement							
Tender Title: Procurement of DI Pipes 2023-2024							
Tender ID: 2023 HPIPH 75363 1							
Sl No	Bidder Name	Description of Work / Item(s)	Item Code	Units	Tender Quantity	Rate With Tax	Bid Rank
1	JINDAL SAW LTD	80mm Dia (Class K-7)	item1	RMT	0.00	1350.00	L1
		100mm Dia (Class K-7)	item2	RMT	0.00	1370.00	L1
		150mm Dia (Class K-7)	item3	RMT	207621.00	1897.00	L1
		200mm Dia (Class K-7)	item4	RMT	10115.00	2471.00	L1
		500mm Dia (Class K-7)	item10	RMT	0.00	8504.00	L1
		Total:				217736.00	
2	Jai Balaji Industries Limited	500mm Dia (Class K-7)	item10	RMT	0.00	8504.00	L1
		600mm Dia (Class K-7)	item11	RMT	200.00	11440.01	L1
		Total:			200.00		
3	Tata Metaliks	250mm Dia (Class K-7)	item5	RMT	6836.00	3242.81	L1

Limited	300mm Dia (Class K-7)	item6	RMT	1385.00	4058.92	L1
	350mm Dia (Class K-7)	item7	RMT	0.00	5123.23	L1
	400mm Dia (Class K-7)	item8	RMT	0.00	6088.55	L1
	450mm Dia (Class K-7)	item9	RMT	530.00	7329.09	L1
	Total:			8751.00		
	G. Total:			226687.00		

The Director General, Supplies & Disposal Haryana has finalized the rates of D.I. Pipes vide Memo No. 81/HR/RC/E-2/2022-23/532-36 dated 25.04.2023, which are valid up to 24.04.2024. An increase of 2.40% {i.e.1% Inspection Charges + 1.4% HP Civil Supplies Charges} was included in the rates of Haryana for deriving the final rail Head rates for evaluation of the instant tender.

Clarification/negotiation meeting with 2 firms which were present was done one by one and after great persuasion some of the quoted rates were got reduced. The Firm's representatives stressed that that the STA rates as allowed by Jal Shakti Vibhag from rail Head to various destinations are on very lesser side, and the same have not been revised since 2011, in spite of increase in fuel rates & other cost index, and therefore, the quoted rates were competitive.

Further the ***Impact of Recent Floods on Roads in Himachal Pradesh*** was also raised by the firms for considering, which are reproduced as under:

“Impact of Recent Floods on Roads in Himachal Pradesh: we understand that due to recent and ongoing rain, road infrastructure of the state of Himachal Pradesh has been severely damaged due to which we would be incurring higher freight cost that too in hilly terrain. Whereas the same is not case with Haryana which is predominantly a plain area and road infrastructure has not been impacted by rains”.

The Negotiation Committee was of the unanimous view that out of total requirement i.e. 2,26,687 Rmt., the major requirement is 2,07,621 Rmt. for 150mm K-7, which is approximate 90% of total requirement, may be considered in priority.



The tender for procurement of D.I. Pipes could not be finalized for the last two years due to litigation/Court matters and further, as per the guidelines of Hon'ble National Green Tribunal (NGT), the work of some of the Sewerage Schemes is required to be completed in time bound manner i.e up to March 2024 & 2025. Hence keeping in view the reasons explained by the firms and showing their inability to reduce the offered rates further, the Negotiation Committee recommended awarding the rates of only those Dias which are below the justifications i.e. 100mm K-7 & 150mm K-7 only. The dia wise detail is mentioned as under:

Sr. No.	Dia & class	Lowest rail head rates quoted by the L-1 firms in the tender 2023-24 (May, 2023)	DGS&D Haryana Rate Contract for the year 2023-24	Increase of 2.40 % {i.e.1% Inspection Charges + 1.4% HP Civil Supplies Charges}	Negotiated/ offered rates	Difference	Difference in %
1	2	3	4	5	6	7	8
1	80 mm K-7	1350.00	N.A.		1350.00		
2	100 mm K-7	1370.00	1339.00	1371.14	1370.00	-1.14	-0.08
3	150 mm K-7	1897.00	1859.00	1903.62	1868.00	-35.62	-1.87
4	200 mm K-7	2471.00	2147.60	2199.14	2267.00	67.86	3.09
5	250 mm K-7	3242.81	2840.29	2908.46	3238.34	329.88	11.34
6	300 mm K-7	4058.92	3606.54	3693.10	4053.34	360.24	9.75
7	350 mm K-7	5123.23	4444.04	4550.70	5117.97	567.27	12.47
8	400 mm K-7	6088.55	5337.94	5466.05	6080.10	614.05	11.23
9	450 mm K-7	7329.09	6248.74	6398.71	7309.07	910.36	14.23
10	500 mm K-7	8504.00	7350.66	7527.08	8504.00	976.92	12.98
11	600 mm K-7	11440.01	9692.13	9924.74	11440.01	1515.27	15.27

After detailed discussion & deliberations, the Committee approved the rates of D.I. Pipes for the diameters 100mm K-7 & 150mm K-7 only, valid up to 31.03.2024, and authorize to Department to place supply orders for annual requirement of D.I. Pipes for 2023-24 which was already approved in previous meeting after seeking counter offers by other participating firms. For rest of diameters, the committee decided to call fresh tender through e-procurement.

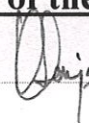
In addition to above items, the Member Secretary informed the Committee that some additional requirement of Pipes & other items has been received after the circulation of memorandum and proposed the following additional items with the permission of the Hon'ble Chair:

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Additional Item No. I: Additional requirement of G.I. Pipes. D.I. Pipes & HDPE Pipes for the year 2023-24.

Member Secretary explained that the additional requirement of following type/ class of pipes has been received from field offices:

(i) G.I. Pipes :

The additional requirement of 1796 MT G.I. Pipes {1086 MT under Jal Jeevan Mission + 710 MT under other Head} for year 2023-24 has been received from the Chief Engineer Shimla, Mandi, Dharmshala & Hamirpur Zones. The Zone wise detail is mentioned as under:

Additional Requirement of G.I. Pipes for the year 2023-24				
Sr. No.	Name of Jal Shakti Division	Jal Jeevan Missio, (In Metric Tonne)	Other Head {State Head, NABARD & Deposit) (in Metric Tonne)	Total Requirement (JJM +AMRUT+ Other Head) (In Metric Tonne)
<u>Shimla Zone</u>				
Rohroo Circle				
1	Jubal	11	0	11
	Total	11	0	11
Shimla Zone Total:-		11	0	11
<u>Mandi Zone</u>				
Kullu Circle				
2	Katrian	0	162	162
3	Kullu-I	0	127	127
4	Larji	0	63	63
5	Anni	0	36	36
	Total	0	388	388
Mandi Zone Total:-		0	388	388
<u>Hamirpur Zone</u>				
Bilaspur Circle				
6	Bilaspur	0	322	322
	Total	0	322	322
Hamirpur Circle				
7	Hamirpur	98		98
8	Barsar	0	0	0
9	Bhoranj	0	0	0
	Total	98	0	98
Dharmpur Circle				
10	Sarkaghat	89	0	89
11	Dharmpur	428	0	428
12	Chauntra	94	0	94
	Total	611	0	611
Hamirpur Zone Total:-		709	322	1031
<u>Dharmshala Zone</u>				
Dharamsala Circle				

13	Bajjnath	130	0	130
	Total	130	0	130
Chamba Circle				
Nurpur Circle				
14	Indora	236	0	236
	Total	236	0	236
D/Shala Zone Total:-		366	0	366
G.Total		1086	710	1796

The tentative cost for procuring of G.I. Pipes is works out as under:

Head	Additional requirement for the year 2023-24	Tentative Cost as per Negotiated rail Head rates.
Jal Jeevan Mission	1086 MT	9.57 Core
Other Head (State, NABARD & Deposit)	710 MT	6.32 Crore
Total:	1796 MT	15.89 Crore

(ii) D.I. Pipes:

Additional requirement of 6360 Rmt. D.I. Pipes for year 2023-24 has been received from the Chief Engineer Dharmshala Zones. The Division wise/ Dia wise detail is mentioned as under:

Additional Requirement of D.I. Pipes for the year 2023-2024					
Sr. No.	Name of Division	Description	Total Qty. (in Rmt.)	Negotiated/ offered Rate 2023-24	Amount (in Crore)
1	Shahpur	150mm K-7	360	1868	0.07
		Total :	360		0.07
2	Killar (Pangi)	150mm K-7	6000	1868	1.12
		Total :	6000		1.12
		Grand Total	6360		1.19

The tentative cost of procuring of 6360 Rmt. D.I. Pipes is Rs. 1.19 Crore.

(iii) HDPE Pipes :

Additional requirement of 101170 Rmt. D.I. Pipes for year 2023-24 has been received from the Chief Engineer Hamirpur & Mandi Zones. The Division wise/ Dia wise detail is mentioned as under:

Additional Requirement of HDPE Pipes for the year 2023-2024					
Sr. No.	Name of Division	Total Qty. (in Rmt.)	Qty. available on Rate Contract (in Rmt.)	Amount (in Lakh)	Quantity not available on Rate Contract
1	Bilaspur	34280	29875	65.57	4405

2	Baggi	24890	24890	102.34	
3	Keylong	42000	27500	26.59	14500
	Total:	101170	82265	194.50	18905

The material is required 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.

During the year 2023-24, there is a budget provision of Rs. 49.00 Crore in Sewerage Sector and further the funds are also available with concerned Divisions for sewerage schemes in deposit Heads as received from Urban Department.

Further the Member Secretary stated that the Screening Committee in its meeting held on 16.6.2023 decided 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.

Accordingly the Secretary (Jal Shakti) to the Government of Himachal Pradesh vide notification no. IPH-B(A)9-8/20212-Loose dated 19.07.2023 & 02.09.2023, constituted a State Level Pre-Screening Committee for purchase of pipes in Jal Shakti Vibhag.

However due to paucity of time, the additional requirement could not be placed before the Committee.

After consideration and discussion. the committee approved that additional requirement of GI Pipes (1796 Metric Tonne), D.I. Pipes (6360 Metric Tonne) and authorize to department to place supply orders as per decision taken above in respect of Item No-1 & 2.

Further the committee approved the additional requirement of HDPE Pipes of 101170 Rmt and authorized Department to procure 82,265 Rmt HDPE Pipes borne on HPCOS Rate Contract. The balance quantity of

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18,905 Rmt, which is not presently available on rate contract, shall be procured on finalization of new rate contract.

Additional Item No.-II: Request of firm M/s Vishal Pipes Limited regarding allowing price variation in extended delivery period against supply order dated 27.01.2017.

The Member Secretary explained that the firm M/s Vishal Pipes Limited has again represented vide letter no. VPL/MKTG/IPH-GI Pipes/2022-23: 191 dated 25.02.2023 & VPL/MKTG/IPH-GI Pipes/2023-24- 055 dated 17.08.2023 regarding allowing price variation (increase) for extended delivery period against supply order no. 27059-27120 (457 MT for Excise Duty Non Exempt Category) & 27121-179 (1771 MT for Excised Duty Exempted Category) placed on 27.01.2017.

The firm has explained that the entire ordered material against above mentioned two supply orders placed on 27.01.2017 was manufactured and inspected by inspection agencies on 11.02.2017 & 12.03.2017 and 14.03.2017 & 15.03.2017. The inspected material was ready for dispatch within the stipulated delivery period (28.03.2017) but was dispatched in the end of April 2017 due to delay in the receipt of correct Excise Duty Exemption Certificates from some consignees.

The firm M/s Vishal Pipes Limited had represented in the matter several times and the same was also put up before Screening Committee time & again. After consideration, the Screening Committee in it's meeting held on 23.02.2022, allowed the price variation for the month of April 2017 on 237 MT which was delayed due to non-receipt of correct excise exemption certificate within the delivery period.

The firm M/s Vishal Pipes Limited has again stated that in addition to 237 MT GI Pipes {which Excise Exemption Certificate received after delivery period}, the clearance for Excise



Exemption certificate of 363 MT was received after expiry of delivery period i.e. 28.03.2017 and the clearance of rest 250 MT G.I. Pipes was received between 17.03.2017 to 20.03.2017 as per following details:

Sr. No.	Consignee Division	Quantity	Date of Receipt of Excise Exemption Certificate from consignees.	Date of Receipt of Clearance from Central Excise Department
1.	Karsog	97 Metric Tonne	21.03.2017	06.04.2017
2.	Salooni	39 Metric Tonne	22.03.2017	07.04.2017
3.	Nalagarh	187 Metric Tonne	07.03.2017	30.03.2017
4.	Jawali	40 Metric Tonne	18.03.2017	30.03.2017
5.	Sunni	126 Metric Tonne	07.03.2017	20.03.2017
6.	Paonta	124 Metric Tonne	10.03.2017	17.03.2017
	Total:	613 Metric Tonne		

On perusal of record received a/w above representation, it has been found that out of total 613 Metric Tonne G.I. Pipes, the Superintendent, Central Excise, Range-23, Sikandrabad had given approval of clearance for 363 Metric Tonne (Sr. No. 1 to 4), after the delivery period i.e. 28.03.2017 and for rest of material i.e. 250 Metric Tonne G.I. Pipes, the clearance had given well before the delivery period.

This delay is attributable to late clearance of correct excise exemption certificates from Excise Department and as per the inspection notes, the material was manufactured by the firms in February & March 2017. The rates of HR Coil & Zinc had increased subsequently after finalization of tender (August 2016) and **during the month of February 2017 & March 2017 there was an increase of HR Coil & Zinc is about RS. 11000/- MT** in comparison to rates during negotiation August, 2016 which was incorporated in supply orders dated 27.01.2017 with the condition of price variation. The detail is as under:

Basic rates of HR Coil / SKELP of SAIL (PMT)	Difference {Monthly rate of H.R. Coil-28433}	Basic rates of Zinc of Vedanta (PMT)	Net effect of Zinc {(Monthly average rate of Zinc-177789 x1.10)x40/1000}	Total variation (PMT)
During negotiation August 2016	28433	During negotiation August 2016	177789	
January, 2017.	39350	January, 2017	210250	587.284
				11504

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February, 2017	39250	10817	February, 2017	219613	961.804	11779
March, 2017	36000	7567	March, 2017	211950	655.284	8222
April, 2017	35700	7267	April, 2017	197775	88.284	7355

In view of above, it is proposed that the price variation for the month of April 2017, for only 363 MT amounting to Rs.26,69,865/- instead of 613 MT be allowed in favour of the firm M/s Vishal Pipes Limited.

After detailed discussion the committee approved the proposal of department and allowed the price variation for the month of April 2017 on 363 MT G.I. Pipes in which the delay was attributable to late clearance of correct excise exemption certificates from Excise Department subject to condition that an undertaking would be submitted by the firm stating that this is the final settlement and nothing extra would be claimed by the firm in future in respect of these supply orders. Undertaking in the shape of affidavit shall be taken from the firm before release of the same.

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

The Member Secretary explained that the firm M/s Swastik Pipes Limited has again represented in the matter vide their letter no. SPL/Jal Shakti Department Shimla/23-24/10 dated 04.09.2023 regarding extension of delivery period against supply orders dated 20.07.2022 & 02.08.2022. The supply order wise detail of delay in days and LD imposed are as under:

Sr. No.	S.O. No. & Date	Qty. Ordered (in Metric Tonne)	Qty. Supplied after delivery period (in Metric Tonne)	Delivery Period valid upto	Extension sought up to	Liquidated Damages imposed (In Rs.)
1	HPSCSC/Pro/1-36/2022-23 (GI Pipes)-6785-6846 dated 20.07.2022 (LOC)	899	899	18.09.2022	05.12.2022 (78 Days)	Rs. 63,69,356/-
2	HPSCSC/Pro/1-36/2022-23 (GI Pipes)-6847-6901 dated 20.07.2022 (JJM)	734	734	18.09.2022	06.12.2022 (79 Days)	Rs. 52,35,220/-

3	HPSCSC/Pro/1-36/2022-23 (GI Pipes)-8004-8032 dated 02.08.2022 (JJM)	781	781	01.10.2022	31.12.2022 (91 Days)	Rs. 72,98,045/-
4	HPSCSC/Pro/1-36/2022-23 (GI Pipes)-8033-8049 dated 02.08.2022 (LOC)	143	143	01.10.2022	26.12.2022 (86 Days)	Rs. 12,67,952
	Total:	2557	2557			Rs. 2,01,70,573/-

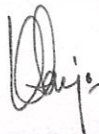
The detailed reasons attributable to delay in supplies of ordered pipe by firm are quoted as under:





- The shade of Galvanizing Plant was damaged due to heavy Rain, the photos and survey reports are enclosed and its cover under Force-majeure Clause.
- Shortage of raw material with SAIL due to JJM Program implemented in all over India for smaller dias i.e. 15, 20, 25 & 32mm dia.
- Shortage /non- availability of Trucks under Himachal Pradesh in remote areas.
- The supply orders were placed within a month of supply orders placed on 20.07.2022, 02.08.2022, as we have another commitment with other states in JJM Schemes.

The matter was put-up before the Screening Committee in its meeting held on 16.06.2023 and after detailed discussion the Committee did not agree to the request being devoid of merit.

The firm vide representation dated 04.09.2023 enclosed copies of letter pertaining to report of the Insurance Company/Assessor Agency to substantiate the claim regarding damages to roof structure of shed of galvanization Unit-I sustained on 05.08.2023 {Reference No. DL/TAG/7403/LOR dated 12.08.2023 of Team Insurance Surveyors and Loss Assessors LLP New Delhi }. The firm also enclosed copy of certificate issued by Deputy Commissioner (Industries), District Industries Promotion and Enterprises Development Centre Mathura regarding damage to GI Unit-1 and subsequent delay in production & supply of material {Reference No. 3198 dated 22.10.2022}.

The firm M/s Swastik Pipes Limited has again claimed that the delay was on account of situation beyond the control and is covered under Force Majeure Clause No. 20 (i) in the tender. The same is reproduced as under:



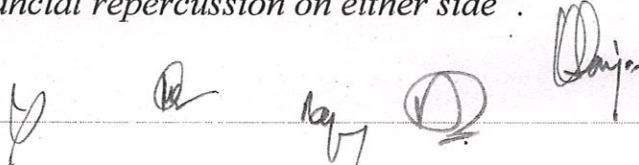
   

“20. The time and date of dispatch stipulated in the said schedule shall be deemed to be the essence of the contract and if the firm fails to dispatch any consignment within the period prescribed for such dispatch, then without prejudice to its rights otherwise the firm shall agree to pay liquidated damages for non-supply/delayed supply. The onus of levy of liquidated damages shall vest with **HP State Civil Supplies Corporation Limited** these damages shall be imposed @ of 1% per week subject to a maximum of 10%. However, provision of extension in delivery period in rare circumstances as authorized to Principal Secretary and Engineer-in-Chief shall stay as per his discretion and all above said penal action shall follow only after when extension period is exhausted/extension in time period is denied by the said office. After that the penalty shall begin to be levied as above. If the firm still fails to supply the ordered pipe, then L-2 firms shall be awarded with the order at L-1 rates, in case of its refusal L-3 firms shall be invited to execute the order on L-1 rates.

- i) The department reserves the right to withhold 5% payment for post-delivery testing. **The delivery period shall be subjected to force-majeure clause, particularly blockade of roads due to climatic conditions.**

The Office Memorandum issued by Govt. of India Ministry of Finance, Department of Expenditure, Procure Policy Division vide No. F.18/4/2020-PPD dated 19th February 2020, The Force Majeure Clause (FMC) is reproduced as under:

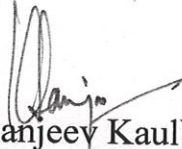
“A Force Majeure (FM) means extraordinary events or circumstance beyond human control such as an even described as an act of God (like a natural calamity) or events such as a war, strike, riots, crimes (nut not including negligence or wrong-doing, predictable/ seasonal rain and any other events specifically included in the clause). An FM clause in the contract frees both parties from contractual liability or obligation when prevented by such events from fulfilling their obligations under the contract. An FM clause does not excuse a party’s non-performance entirely, but only suspends it for the duration of the FM. The firm has to give notice of FM as soon as it occurs and it cannot be claimed ex-post facto. There may be a FM situation affecting the purchase organization only. In such a situation, the purchase organization is to communicate with the supplier along similar lines as above of further under this contract is prevented or delayed by any reasons of FM for a period exceeding 90 (Ninety) days, ether party may at its option terminate the contract without any financial repercussion on either side”.




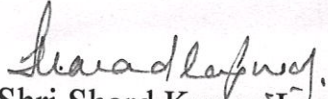
The committee discussed the matter in detail and observed that the delay in supply is quite substantial and has resulted in delay in execution of works in various affected divisions. The delay in supply of material cannot be contributed to Force Majeure and covered under clause of the agreement. Although recovery of liquidated damages alone cannot compensate for the loss suffered by the department, yet taking a lenient view, the Committee decided to reject the claim without taking any further action.

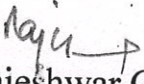
Further the Chairman directed that in future before putting matter in Screening Committee, the same may be put up for Pre-Screening Committee for its recommendation.

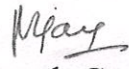
Meeting ended with a vote of thanks to and from the Chair.

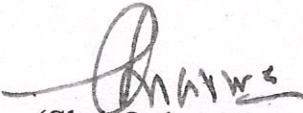

(Er. Sanjeev Kaul)
Member Secretary-cum-
Engineer-in-Chief,
Jal Shakti Vibhag H.P.



(Shri Amit)
Addl. Controller of Stores (Industries),
Rep. of Controller of Stores,
Department of Industries, H.P


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


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


(Shri Maneesh Garg)
Principal Secretary (Finance)
to the Government of H.P.


(Shri Onkar Sharma)
Principal Secretary (Jal Shakti)
to the Government of Himachal Pradesh.


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