

No. Z-28016/11/2012-SSH
GOVERNMENT OF INDIA
Ministry of Health and Family Welfare
PMSSY Division

Nirman Bhawan,
Maulana Azad Road, New Delhi -110108.
Dated: 10th April 2015

ORDER

Sub: Empowered Review Committee (ERC) constituted at AIIMS-Bhopal, Bhubaneswar, Jodhpur, Patna, Raipur and Rishikesh – Amendment regarding.

Ref: MoH&FW's Order No.Z-28016/11/2012-SSH DATED 20 MAY 2013

1. Whereas it had been stipulated vide Para 9.1 of Order No.Z-28016/11/2012-SSH dated 20 May 2013 that Empowered Review Committee (henceforth ERC) would ensure that the variation proposals are supported with comments and recommendations of the Design & DPR Consultant (DDPRC).

2. Whereas it has been time and again brought to the notice of Ministry by Directors of Six-AIIMS that due to prolonged deployment and delay in project completion, most of the Design & DPR Consultants have become largely non-cooperative, non-responsive and non-committal in their response towards project related matters. This further leads to huge delays in project completion. Owing to non-cooperative attitude of Design & DPR Consultant (DDPRC), expert and independent technical advice was not available to them while considering variation cases, which was essential to enable them to take decisions in this regard.

3. Whereas Directors of Six-AIIMS have projected that above handicaps be removed for expeditious decisions on variation cases pertaining to various package contracts. Directors of Six-AIIMS have been interalia requesting to waive off the requirement of comments/recommendations of Design & DPR Consultant (DDPRC) if the same are not provided by them in a reasonable time frame.

4. Whereas following proposal had been submitted for the consideration and approval of the Competent Authority:

"Variation cases need to be expedited by the respective Empowered Review Committees (ERC) constituted and strict adherence to conveyed guidelines ensured. In case, the DDPR Consultants or the Project Consultants delay their inputs in procedure of ERC beyond reasonable time as decided by ERC, the SE (Engineer-in-Charge) AIIMS may take the inputs from the local/nearest IIT/NIT, debiting the cost of obtaining such inputs to respective DDPRCs and/or PC as the case may be, and, also taking action against the DDPRC and/or the PC as per contract provisions."

5. Now, in partial amendment to Order No.Z-28016/11/2012-SSH dated 20 May 2013, Para 9.1 of the said Order with the approval of the competent authority stands amended as following:

*“Review and consideration of proposals, if any, of deviation items in contract agreements as proposed by SE, AIIMS at least once a fortnight. Consideration of the necessity of the proposal, technical reasons justifying the variations, and, such plus/minus deviations in quantities of agreements, taking strictly into conscious account, with due application of mind and reasoning, that such proposal does not allow undue benefit to contractor. While considering these proposals the ERC shall ensure that the proposal has the comments and recommendations of the Design & DPR Consultant and of the Project Consultant. **In case, the DDPR Consultants or the Project Consultants delay their inputs in procedure of ERC beyond reasonable time as decided by ERC, the SE (Engineer-in-Charge) AIIMS may take the inputs from the local/nearest IIT/NIT, debiting the cost of obtaining such inputs to respective DDPRCs and/or PC as the case may be, and, also taking action against the DDPRC and/or the PC as per contract provisions. The ERC shall also ensure that the SE has certified the correctness of variations in the quantities. The SE has to certify to the ERC that rates proposed in the variations items are reasonable prevailing market rates at the time of execution of the work and after taking into account trade discounts”.***


6. It has also been approved by the competent authority that “Directors AIIMS could first pay the requisite fee etc to the concerned IIT/ NIT while requisitioning the services of the Institute out of funds at their disposal and debit the expenditure to concerned DDPRC later, thereby ensuring no procedural/ accounting hindrance to the process of obtaining comments/ consultancy from the said Institutes.”

7. It has also been approved by the competent authority that Directors AIIMS are authorized to invite technical/ subject experts as special invitees, if felt necessary, for considering variation cases by the ERCs. However, due procedures may be followed within the administrative and financial powers of the Director-AIIMS.

8. Provisions of Para 9.2 of Order No.Z-28016/11/2012-SSH dated 20 May 2013 may be complied by replacing the word “Design DPR Consultant” with “**SE or IIT/ NIT (entrusted to carry out duties in place of DDPR Consultants or the Project Consultants as explained at amended Para 9.1 above)**”.

9. It has also been approved by the competent authority that respective Director-AIIMS, as Chairpersons of ERC, be delegated the power to consider and decide on EOT cases and re-scheduling of milestones. This would mean an amendment of Schedule-F of the respective contract agreements wherein the authority mentioned as “Joint Secretary (Designate)” in clauses 2 and 5 of GCC of respective agreements shall be read as “Director, AIIMS”. Necessary orders to execute and issue such amendments to the concerned agencies/ contractors are being issued separately. Directors - AIIMS are also authorized to invite technical/ subject experts as special invitees for the purpose, if felt necessary, as in the case of considering variation cases by the ERC, duly following procedures within their administrative and financial powers.

10. All other paras, terms and conditions of the original Order No.Z-28016/11/2012-SSH dated 20 May 2013, read with fresh provisions vide Para 5, 6, 7, 8 and 9 above, shall remain unaltered.


(L.Chandrasekaran)

Under Secretary to the Govt. of India
Tel.: (011) 2306 1213

To

1. Director-AIIMS, Bhopal/ Bhubaneswar/ Jodhpur/ Patna/ Raipur/ Rishikesh
2. Dy Director (Admn), AIIMS-Bhopal/Bhubaneswar/Jodhpur/Patna/Raipur/Rishikesh
3. FA, AIIMS, Bhopal/ Bhubaneswar/ Jodhpur/ Patna/ Raipur/ Rishikesh
4. SE, AIIMS, Bhopal/ Bhubaneswar/ Jodhpur/ Patna/ Raipur/ Rishikesh
5. EE, AIIMS, Bhopal/Bhubaneswar/Jodhpur/Patna/Raipur/ Rishikesh

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