

Government of Odisha
Works Department

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Sd/-
22/9/12

No.EAP-35/2012 9632 W., Bhubaneswar, Dated: 22.9.12

From

Shri M. Naik,
Under Secretary to Government

To

The Chief Engineer, World Bank Project,
Odisha, Bhubaneswar.

Sub: *Proceedings of the 11th meeting of the S.L.E.C. for Odisha State Road Project held on 11.9.2012.*

Sir,

I am directed to send herewith a copy of the proceedings of the S.L.E.C. meeting held on 11.9.2012 at 4.00 P.M. in the 2nd floor Conference Hall of the Secretariat under the Chairmanship of Chief Secretary, Odisha for information and necessary action.

You are, requested to furnish the compliance report in the matter early to this Department.

All concerned may also be intimated accordingly.

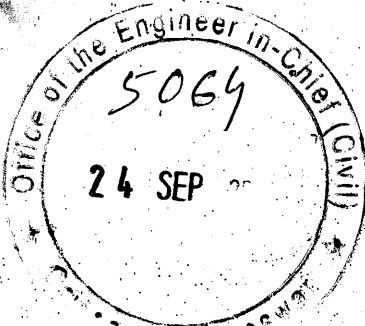
Yours faithfully,


22.9.12
Under Secretary to Government

Memo No. 9633 W., Dated: 22-9-12

Copy with copy of proceedings is forwarded to P.S. to Chief Secretary, Odisha for kind appraisal of Chief Secretary.


22.9.12
Under Secretary to Government



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Works Department

Handwritten signature/initials

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**PROCEEDINGS OF THE 11th MEETING OF THE
STATE LEVEL EMPOWERED COMMITTEE (SLEC) HELD ON September 11, 2012
in the 2nd Floor Conference Hall of the Secretariat, Odisha, Bhubaneswar.**

Chief Secretary chaired the 11th meeting of the State Level Empowered Committee (SLEC) held on 11th September, 2012. The list of Members present in the meeting is placed at Annexure-1.

Initiating discussion, the EIC-cum-Secretary briefed the Committee on the status of various activities of the project. The committee discussed threadbare and decided on the issues as follows:-

A) Compliance to the decisions of the last SLEC meeting

The SLEC was apprised that decisions taken in last meeting held on 27.07.2012 have been carried out. The procurement process for engagement of personnel in social and environment units have been initiated. The engagement of Contract Management Specialist has been sent to the World Bank for review. Meanwhile the Bank has cleared the engagement of Dr. M. Reddy as ISAP Facilitator who is yet to submit his proposal. The maintenance in P01, P02, P03 road corridor is in progress by the Project. The committee was also apprised of the appointment of arbitrators by the Employer and the Contractors.

B) Removal of CPRs

The religious Community Property Resources (CPRs) have been either removed or in the process of removal by the concerned Tahsildars in the road corridors of Year 1. The removal of non religious CPRs from the project corridor was a work item in the civil work contracts. To give encumbrance free land to the Contractors, it was decided to remove the above said non-religious CPRs by the concerned Executive Engineers of R&B Divisions. Accordingly, the Executive Engineer, Ganjam (R&B) Division No. 1, Berhampur had initiated the tender process for all 26 CPRs in his jurisdiction, as per OPWD codal provisions. To this, the World Bank has opined that these works cannot be undertaken as incremental operating costs and cannot be procured without using Bank's procurement guidelines, if these are to be funded by the Bank. However, the Bank has no objection if it is executed through field Divisions, but in that case it would be under the non-reimbursable component.

The Committee deliberated that it would consume a lot of time if the World Bank procurement procedures are adopted for this small yet vital component of the project. This may result in setback in getting encumbrance free land before invitation of bids. Already the bid evaluation process of P03 package is in pretty advanced stage.

The Committee decided that the execution of the relocation works of the non religious CPRs shall be done as per OPWD codal provisions by charging to the non-reimbursable component of the project. This shall be followed for all the packages.

C) Status of P01 & P02 Packages

The Committee was appraised that the Hon'ble High Court in their interim orders had directed not to take any coercive action against the contractors in both the packages. Now the Hon'ble Court while disposing of both the writ petitions on dated 13.08.2012 has directed that the petitioner is at liberty to approach the DRB for resolution of the dispute and directed the Govt. not to take any coercive step for imposing penalty till the DRB takes a decision. The Works Department have sought for clarification from Law Department as to whether contract can be terminated pending decision of the DRB. The view of Law Department is awaited.

The Principal Secretary, Law Department was requested to offer his considered views at the earliest for further needful action.

D) Status of P03 Package:

The Committee was appraised that the bids for the balance works were received on August 08, 2012 and are under evaluation. The Milestone-1 needs to be encumbrance free by October 31, 2012, free from encroachments, water supply lines, electric lines and trees. It was decided that the District Collectors should be requested to review the progress of utility shifting along the project corridor to ensure availability of encumbrance free land to the Contractor.

Regarding removal of trees, the D.M., OFDC, Berhampur has submitted an estimate for felling of the remaining 278 trees for an amount of Rs.29.34 lakh. The committee decided that the OFDC must cut the trees in the first milestone by October 31, 2012. The concerned DFOs of Berhampur and Paralakhemundi Division shall facilitate the OFDC for removal of trees along the project corridor from Berhampur to Taptapani within the time limit.

Regarding forest clearance, it was appraised that the DFO, Berhampur has submitted the compliances to the PCCF, Odisha for the conditions raised by the MoEF for diversion of

0.247 Ha. of forest land. The Special Secretary, Forest and Environment Department informed that action is being taken to obtain this clearance soon.

As regards land acquisition, difficulties are being faced in releasing compensation for land recorded in the name of deities. In most of the cases, squatters have constructed structures on the deity land. The LAO has referred the matter to the Endowment Commissioner. It was decided to refer the matter to the Principal Secretary, Law Department for resolution.

E) Land acquisition and R & R issues

The Committee reviewed the balance land acquisition pertaining to all the packages. It was discussed that the LA possession pertaining to 76 villages in Kendrapara and Cuttack districts have already been handed over. The remaining villages are expected to be handed over by October, 2012

Regarding the ongoing year 1 projects, it was discussed that there are 19 cases in Bhawanipatna -Khariar Road (Kalahandi -1, Bolangir - 13 & Nuapada- 5), 22 cases in Anandpur -Bhadrak -Chandbali Road (Bhadrak- 10, Keonjhar - 12) and 14 cases in Berhampur -Taptapani Road (all in Ganjam district) pending for completion of LA. The Principal Secretary, Revenue & Disaster Management Department agreed to take prompt action in resolving the issue.

The matter of acquiring land in a 50m stretch of Karapada village on the Badasankha-Tarini-Hinjili-Seragada- Sorada Road (Ganjam district) was discussed. It was decided to go for LA or direct purchase of such small stretches of land as per existing Government circular, whichever is quicker.

F) Tree Cutting

The committee was appraised that tree cutting was an item of work in the Year -1 road contracts. However, in Year-2 road , tree cutting was proposed to be done by OFDC. Accordingly, in P04, tree cutting is in progress satisfactorily. Now the Year-1 road contracts are in the process of termination. The committee decided that tree cutting and disposal shall also to be done by the OFDC under the supervision of concerned DFOs in balance stretches of Year-01 roads after closure of the present contracts.

The meeting ended with a vote of thanks to the Chair and participants.


Chief Secretary, Odisha

ANNEXURE I

LIST OF ATTENDEES IN THE 11th SLEC MEETING on September 11, 2012

1. Sri Bijaya Kumar Patnaik, IAS, Chief Secretary
2. Sri R.N.Senapati, IAS, Development Commissioner-cum- Addl. Chief secretary
3. Sri J. K. Mohapatra, IAS, Principal Secretary to Govt., Finance Department
4. Sri D. Rout, Principal Secretary to Govt., Law Department
5. Sri B.P.Singh, IFS, Special Secretary to Govt., Forest & Environment Department
6. Sri S. K. Ray, EIC-cum-Secretary, Works Department
7. Sri N.K. Pradhan, Chief Engineer, World Bank Projects, Odisha

(6)

P. E. M. B. P.