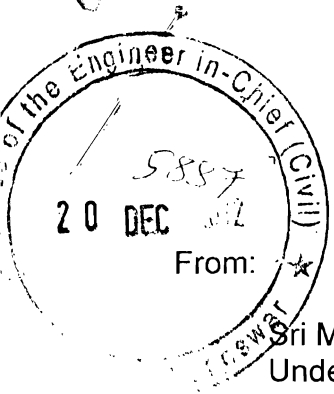


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Government of Odisha
Works Department.



No. 0763660352012 12436 W., Dated, the 19.12.12

From:
Sri M. Naik ,
Under Secretary to Government.

To
The Chief Engineer,
World Bank Projects, Odisha, BBSR.

Sub: Proceedings of the 12th. Meeting of the SLEC for Odisha State Road project held on 5.12.2012.

Sir,

I am directed to send herewith a copy of the proceedings of the SLEC meeting held on 5.12.2012 at 4.00 PM in the 2nd. Floor Conference Hall of the Secretariat under the Chairmanship of Chief Secretary, Odisha for information and necessary action.

You are, therefore, requested to take appropriate steps in the matter and report compliance to this Department immediately.

All concerned may also be intimated accordingly.

Yours faithfully,

Mmm
19.12.12
Under Secretary to Government.

Memo No. 12437 W., Dated, the 19.12.12
Copy with copy of proceedings is forwarded to Private Secretary to Chief Secretary, Odisha for kind appraisal of Chief Secretary, Odisha.

Mmm
19.12.12
Under Secretary to Government.

Sri Tripathy
Pl. circulate to
all members of SLEC
SD
naik

So, Sri Naik .

Immediate

Today
Tripathy
12.12

**PROCEEDINGS OF THE 12th MEETING OF THE
STATE LEVEL EMPOWERED COMMITTEE (SLEC)
held on December 05, 2012**

The Chief Secretary chaired the 12th meeting of the State Level Empowered Committee (SLEC) held on December 05, 2012, in the Second Floor Conference Hall of the State Secretariat, Odisha, Bhubaneswar.. The list of Members present in the meeting has been provided in Annexure-1.

Initiating the discussion, the EIC-cum-Secretary briefed the Committee on the status of the various activities of the project. Following are the details of deliberation made by the Committee.

1. Award of Contract of P03

The Bids for the package P03 was invited on June 04, 2012. The lowest responsive bid of M/s RKD Construction Pvt. Ltd., Bhubaneswar amounting to Rs. 96,87,51,258.00 at 4.73 % excess over the corresponding estimated of cost of Rs 92,49,61,475.00 was sent to World Bank for approval based on which the World Bank communicated its no objection on November 05, 2012. The same was approved in the Tender Committee at the Government level.

The Committee approved the bid proposal and desired to process for Government approval quickly.

It was further decided to request Government to amend the resolution regarding the requirement of approval of the SLEC for tenders costing more than Rs.50 crore and instead the Administrative Department should send the Bids directly to take approval of Government to save time, as proposed by the World Bank in July 2012 Mission.

2. Post Termination Maintenance of Roads of P01 & P02

Both P01 and P02 contracts have been terminated on November 21, 2012 and Ex-parte measurement has been taken on November 30, 2012. Starting of the balance work may consume at least six to seven months. In order to keep the roads traffic worthy and avoid inconvenience to the

commuters, it was proposed to take up the maintenance work through the Chief Engineer (DPI & Roads) out of normal maintenance grants. The Committee agreed to this proposal.

3. Splitting of Jagatpur Chandbali Package

The Bid documents for this package was submitted to the World Bank in February, 2012. The suggestion of the World Bank regarding the provision made in the package were incorporated and resubmitted in July, 2012. In their Mission in November, 2012 the World Bank suggested to split this package into two packages so that it would encourage better competition. Further, this would help to take up more stretches simultaneously along the road, reduce the overall completion time and facilitate better contract management.

The Committee instructed the Chief Engineer, World Bank Projects to go ahead with the procurement immediately in the manner suggested by the Bank and as per rules.

4. Implementation Arrangement for R&R

a) Extension of Implementation Arrangement for R&R in P01

The implementation of Social Safeguard in P01 is being done by providing additional manpower and logistic support to Khariar (R&B) Division, since the contract of Implementing NGO was terminated. The Chief Engineer World Bank Projects proposed to extend the departmental arrangement for a further period of one year with effect from November 30, 2012 as per the rates already approved in the previous SLEC and keeping in view the bare necessity.

The Committee agreed to the proposal.

b) Implementation Arrangement for R&R in Jagatpur-Chandbali road

It was discussed that the selection for Implementing NGO for Jagatpur-Chandbali road has been delayed following the petition filed by one NGO in the Hon'ble High Court. The Committee decided that PMU shall take immediate action for taking leave of the Court to decide the procurement of Implementing NGO. Under the above circumstances, during the World Bank Mission in October and November 2012, it was discussed that the implementation of R&R shall be taken up departmentally by providing additional manpower and logistics hired from the market to the Executive Engineers-cum-Package Managers of Cuttack, Kendrapara and Bhadark (R&B) Divisions, till the award of contract of the INGO. The Chief Engineer, World Bank Projects

proposed that the arrangement adopted for P01 may be approved to be adopted in view of the urgency, till the issue of engagement of a NGO is decided. The Committee agreed to the proposal.

The Chief Engineer ,World Bank Projects stated that an agency is required to be engaged as Nodal NGO for Jagat ...pur-Chandbali road to coordinate the activities of the interim implementation arrangement. The procurement of Nodal NGO may take about 9 months to 1 year, as experienced in that past. In order to ensure monitoring and coordination of implementation of R&R activities and facilitate handing over of milestones, it was proposed to extend the contract of the Nodal NGO (C.A.R.T.) for one year (at a probable additional cost of Rs. 24 lakh for the assignment). The Committee was appraised that World Bank had already approved the proposal for extension of contract of Nodal NGO (C.A.R.T.). However, it was decided to go for procurement of the Nodal NGO through bidding process quickly.

The Committee approved the proposal of extending the contract of Nodal NGO (CART) at the above proposed price for one year at the probable cost of Rs. 24 lakh per annum or till the award of contract to an agency through procurement, whichever is earlier.

5. Procurement of Contract Management Specialist for PMU

As per the agreed actions of World Bank in July 2012, a Contract Management Specialist is to be engaged immediately in the PMU for management of civil works and consultancy contracts. The proposal for the assignment amounts to Rs. 117.38 lakh, against the estimated cost Rs. 27.36 lakh. Negotiations with the responsive person Mr. K.B. Lal Singhal has been completed on December 5, 2012 and the details are being submitted to the Bank for no objection.

The Committee instructed the Chief Engineer, World Bank Projects to obtain prior approval of Finance Department and then go ahead with the procurement.

6. Revised Entitlements for Resettlement and Rehabilitation

The World Bank proposed certain changes in the entitlement framework as some categories of assistance decided in 2006 urgently require escalation commensurate with the price index.

The biennial revision of 2012 is found to be 150% of the rate of assistance stipulated in ORRP 2006. This index was decided to be adopted for the revised R&R entitlements. In addition the following decisions pertaining to the R&R Entitlement Framework were taken.

- a. Render assistance of 25% of the LA compensation received for residential and commercial structures only to the title holders being partially affected by the Project.
- b. Provide a displaced tenant with assistance of 2 months' rent or Rs.7500/- whichever is higher along with Transportation allowance of Rs.3000/-.
- c. Provide an absentee title holder of commercial structure with 6 months' rent or Rs.10,000/- whichever is higher.
- d. A displaced tenant of a shop to be assisted with 2 month's rent or Rs.5000/- whichever is higher.
- e. A displaced squatter of homestead structure shall get Rs.25000/- in rural and Rs.40000/- in urban areas as assistance for alternate house site.
- f. A displaced squatter of Commercial structure shall get Rs.20000/- in rural and Rs.30000/- in urban areas as assistance for alternate site.
- g. As assistance for alternate site for homestead and commercial squatters are pending for payment in the year-1 roads, it was decided to extend assistance mentioned in sl. at e & f above to those displaced by the year-1 road projects.

The Committee, after detailed deliberations, declined to accept the following new proposals of the World Bank.

- a. For agricultural land, the Committee did not agree to pay assistance to any person other than the legitimate person in order to avoid litigation.
- b. Enhancing entitlements for titleholder shops by five times of the original framework was not accepted, as it appears arbitrary and likely to raise audit objections. The Committee decided to enhance the assistance commensurate with index decided above.
- c. Maintenance allowance for tenants of shops was not accepted as the existing entitlement was found adequate.
- d. Assistance for cattle-shed in addition to LA compensation was not accepted as it includes the cost of land and structure there in.
- e. The provisions made for vulnerable cultivators, of encroached land, in the original entitlements were found adequate and the changes were not accepted to avoid discrimination and legal disputes.

- f. Rendering assistance to absentee squatters, tenants and partially affected squatters of homestead and commercial structures was rejected.
- g. The provisions made for community properties, in the original framework were found adequate and the changes were not accepted.

The Committee decided that a District level Committee be constituted for redressal of grievances pertaining to R&R with the following members.

- a. District Collector and Magistrate-cum-Convener of RPDAC or his representative
- b. PRI Member representing the affected community (to be nominated by Collector)
- c. Executive Engineer –cum- R&R Package manager (Member Convener)
- d. Tahsildar /LAO
- e. Representative of CBOs, NGOs (To be nominated by Collector)
- f. Team Leader of Nodal NGO/Implementing NGO

7. Appointment of SLAO and engagement of Advocate in PMU

The SLAO, transferred from PMU, is yet to be replaced. It was decided to post a substitute early.

As regards the engagement of a private advocate to deal with arbitration cases, the Committee decided to solicit a suitable name from the Advocate General, Odisha, as advised by the Law Department.

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



Chief Secretary, Odisha

ANNEXURE I**LIST OF MEMBERS WHO ATTENDED THE SLEC MEETING ON
DECEMBER 05, 2012**

1. Sri Bijaya Kumar Patnaik, IAS, Chief Secretary
2. Sri Tara Dutt, IAS, Principal Secretary, Revenue & Disaster Management
3. Sri A.K.Mishra, IA&AS, Special 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