

Minutes of Meeting of Empowered Standing Committee dated
09.06.2015

Meeting of Empowered Standing Committee constituted to resolve the dispute under clause- 23 of contract Agreement was held on dated 09.06.15 under the chairmanship of Secretary Water Resources Jaipur, to resolve the disputes in case of "**Survey and levelling work of Battisa Nalla Irrigation Project.**" raised by M/s Baba Contractor and Engineers, 36-Aarbuda Nagar, Abkari road, Aburoad Agreement no. 51 of year 2007-08.

The following were present in the meeting

1. Sh. Virendra Singh, Senior Joint L.R. representative of Pr. Secretary, Law Department, Jaipur
2. Sh. Zakir Hussain, Joint Secretary (Exp.III) ,representative of Pr. Secretary, Finance Department, Jaipur
3. Sh. Sumnesh Lal Mathur, Addl. Secretary cum Chief Engineer W.R. Jaipur.
4. Sh. Sankar Lal Parmar, Addl. Chief Engineer W.R. Zone, Jodhpur.

Executive Engineer was present on behalf of respondent and contractor was present as claimant.

The Executive Engineer concerned apprised that a work order amounting Rs. 5,08,623/- was given to the contractor for survey & levelling of Battisa nalla project. The date of start was 08.01.2008 and accordingly date of completion was 07.03.2008. The contractor could executed the work amounting to Rs. 1,40,369/- only & left work incomplete. The contractor was served several notices to complete the work but he could not complete the work. As such as action under clause 2 & 3 (c) was taken against the contractor & a penalty of Rs. 50,862/- @10% of work order amount was imposed against him.

Claim wise discussions of claimant & respondent are as under:-

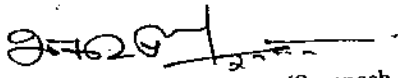
Claim no. 1 claim for final bill payment of Rs. 368254/-

The Claimant apprised the committee that he has completed the work on 20.02.2008 and all relevant records were submitted to the AEN/JEN concern.


Executive Engineer apprised the committee that contractor executed a work of Rs. 1,40,369/- only against the work order of Rs. 5,08,623/- for which payment has already been made to him. As per record no document submitted by contractor after this payment. Executive Engineer produced copies of communication to execute balance work. Several notices were served to the contractor to complete the work.


Committee asked the contractor to show any written proof of executing of balance work of Rs.3,68,524/- i.e. drawing, sajara sheet, level book & bill etc. but the contractor could not produce any proof in this regard & kept on repeating that he had completed the work in time.

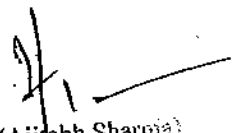
Committee examined the facts & record produced before committee. After detailed discussions Committee is of the view that this claim is not tenable. Therefore, committee decided to reject this claim.


(S.L. Parmar)
Addl. CE
Water Resources
Zone, Jodhpur

(Sumnesh Lal
Mathur)
Addl. Secretary cum
Chief Engineer W.R.
Raj. Jaipur


(Virendra Singh)
Senior Joint L.R.
Law Deptt.
Raj. Jaipur


(Zaki Hussain)
Jt. Secretary
Finance Deptt.
Raj. Jaipur


(Ajitabh Sharma)
Secretary
W.R. Deptt.
Raj. Jaipur