

Confidential

DELHI TRANSPORT CORPORATION
(Government of NCT of Delhi)

Minutes of 7th Meeting of 2019 of the DTC Board held on 30.12.2019 at 5.00 PM in the Conference Room of Hon'ble Transport Minister, Govt. of NCT of Delhi/Chairman, DTC at 8th Level, Delhi Sectt., New Delhi-110002.

PRESENT:

- | | | |
|----|---|----------|
| 1. | Shri Kailash Gahlot,
Hon'ble M.O.T., GNCTD &
Chairman, DTC | Chairman |
| 2. | Shri Manoj Kumar, IAS
Managing Director,
Delhi Transport Corporation | Director |
| 3. | Shri Rajeev Verma, IAS
Principal Secretary (Finance),
Govt. of NCT of Delhi | Director |
| 4. | Shri Madhup Vyas, IAS
Secretary-cum-Commissioner (Development),
Govt. of NCT of Delhi
Link Officer to Additional Chief Secretary (Transport),
Govt. of NCT of Delhi | Director |

Additional Chief Secretary (Land & Building) Govt. of NCT of Delhi, Joint Commissioner of Police (Traffic) Delhi and Commissioner (Planning) DDA could not attend the meeting.

ALSO PRESENT:

1. Shri V.K.Gupta, Chief G.M. (SBU)
2. Shri Rajiv Vadehra, Secretary, DTC Board



Confirmation of minutes of 6th meeting of 2019 of DTC Board meeting held on 10.12.2019, with respect to Resolution No.50/2019 as well as the discussions held as at Point No.(2) at page-4 of the minutes.

The Minutes of the DTC Board Meeting held on 10.12.2019 were circulated vide letter No.SB/Bd.Minutes/Dec./2019 dated 16.12.2019 whereby it was also informed that the Resolutions No. 42/2019 and 49/2019 were already confirmed by the Hon'ble Chairman in the said meeting. Further, since no objection was received regarding Resolution No. 50/2019, the said Resolution is also confirmed. However, regarding the discussions held as at Point No.(2) of the minutes regarding the tender for procurement of 1000 CNG Low Floor buses, communications were received by Secretary, DTC Board from Principal Secretary (Finance), GNCTD and also from Addl. Chief Secretary (Transport), GNCTD vide their notes dated 20.12.2019.

After detailed deliberations in the meeting, the said discussions held as at Point No.(2) of the minutes were confirmed by the Hon'ble Chairman, as under:

- The Board was informed by M.D, D.T.C. that Legal Opinion on the Tender for Procurement of 1000 Low Floor CNG Buses has since been obtained from Shri Manish Vashisht, Standing Counsel, D.T.C. vide his letter dated 30.11.2019. The legal opinion was perused by the Board and it was observed that the Standing Counsel, DTC has expressed his considered opinion that the decision of the Delhi Transport Corporation to procure 600 buses complying with BS-VI norms is neither arbitrary nor whimsical in nature as none of the actions on the part of D.T.C nullifies or destroys the effect and impact of the tender conditions in procuring the buses for public transport.
- M.D, DTC further informed that Transport Deptt., Govt. of NCT of Delhi has sent a detailed note to the Hon'ble Chairman (DTC) dated 27.11.2019 with a copy endorsed to him on the issue wherein they have pointed out certain discrepancies/irregularities and also recommended that DTC should scrap the tender and call for fresh bids without any delay since the RFP/Tender process has been vitiated. Transport Deptt., GNCTD further mentioned that BS-VI buses are mandated w.e.f. 1.4.2020.

Rji Vashisht

It was further informed by Addl. Chief Secretary (Transport), that a request letter dated 27.11.2019 has also been received from Anti-Corruption Branch, Govt. of NCT of Delhi for seeking prior approval of the competent authority u/s 17A P.C Act 1988 for conducting enquiry in the matter of allegation of corruption and other irregularities in the tender/purchase of 1000 low floor CNG buses by DTC. The said letter has already been forwarded by the Transport Deptt., GNCTD to DTC vide letter dated 28.11.2019 for further action. In this regard, it was informed to the Board by M.D, DTC that the matter is being examined by DTC and the Board shall be apprised accordingly.

Detailed deliberations were held on the issue and it was observed that both the Principal Secretary (Finance) & Addl. Chief Secretary (Transport) had pointed out certain discrepancies in the tendering process and the Transport Deptt., GNCTD in their note dated 27.11.2019 had even recommended for scrapping of tender in view of the Tender process being vitiated.

In view of above position, the Board unanimously decided to short close the tender in view of the information provided to the Board and invite fresh bids immediately for procurement of 1000 buses conforming to BS-VI norms as mandated by law w.e.f 01.04.2020.

The Hon'ble Chairman further instructed to deal with the fresh tender strictly in accordance with prescribed guidelines of CVC/GFR and in case of any confusion or slight deviation from the tender, expert opinion be taken immediately and further adequate precautions and corrective steps be taken especially at the pre-bid stage so that such type of situation does not arise again. Further, the time-lines for procurement of buses be followed scrupulously so that the buses are made available for the convenience of general public in the prescribed time-limit.

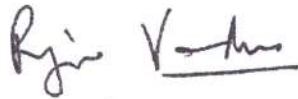
Resolution No. 51/2019 : Item 33/2019 : Engagement of 300 Low Floor 12 Meters Fully Electric AC Buses by DTC under FAME PHASE-II SCHEME on Operational Cost Model Basis (OPEX MODEL) – Further decision.

The Board considered the agenda item and following are the observations of the Board:-

Rji V. An

- i. Principal Secretary (Finance) informed that complete documents of the Tender have not been supplied to the Board Members for proper examination of the Agenda in the absence of which decision on this Agenda cannot be taken.
- ii. It needs to be confirmed and explained by DTC how the applicable Rules and Guidelines including CVC Guidelines have been complied in formulating and processing the Tender by the DTC.
- iii. Reasonability of the rates needs to be confirmed as per the GFR Guidelines also comparing and analyzing the rates with the estimated rates for the Tender.

In the light of above, the Board desired the mentioned documents/information for further consideration.



**Chairman
DTC Board**