



MINUTES OF THE CIRCULATION AGENDA – 2 DATED 09.06.2020

FINANCE COMMITTEE & BOARD OF GOVERNORS

Date: 09.06.2020

**National Institute of Technology Nagaland
Chumukedima, Dimapur- 797 103
Nagaland**

MINUTES OF THE FINANCE COMMITTEE AND BOARD OF GOVERNORS MEETING: BY CIRCULATION Dt. 09-06-2020

MEMBERS PARTICIPATED

1. Shri. Suparno Moitra
Chairperson, FC and BOG
NIT Nagaland
2. Shri Madan Mohan,
Additional Director General (NITs)
Ministry of Human Resource Development
3. Ms. Darshana M Dabral,
Joint Secretary (FA)
Ministry of Human Resource Development
4. Prof. V. Jagadeesh Kumar,
Professor and Dean (Academics),
IIT Madras
5. Dr. P.S. Robi,
Professor & Deputy Director,
Indian Institute of Technology, Guwahati
6. Er. Kahuto Sema,
Chief Engineer,
Police Engineering Project (PEP),
7. Dr. G. Venkatesh
M/s Sasken Technologies, Bengaluru
8. Er. Arjun Singh
Director of Technical Education,
Government of Nagaland
9. Prof. Ajay Kalamdhad,
Professor,
Indian Institute of Technology Guwahati,
10. Dr. S.Venugopal
Director, NIT Nagaland
11. Shri. Binod Doley
Registrar,
NIT Nagaland

FC & BOG
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TO CONSIDER AND APPROVE THE PROCEEDINGS AND MINUTES OF BUILDING AND WORKS COMMITTEE (BWC) CIRCULATION AGENDA DATED 27-05-2020 REGARDING THE EXTENSION OF TIME PERIOD GIVEN TO M/s FEDO (PROJECT MANAGEMENT CONSULTANT) TOWARDS COMPLETION OF PHASE - II CONSTRUCTION ACTIVITIES AND RELEASING OF FUND - RELEASING OF THE PAYMENT TO THE VARIOUS VENDORS.

The minutes of the BWC Meeting Circulation Agenda Dt. 27/5/2020 is enclosed (Annexure I) for the consideration and approval of FC and BoG. The following matter has been discussed as Circulation Agenda

“TO CONSIDER AND APPROVE THE EXTENSION OF TIME PERIOD GIVEN TO M/s FEDO (PROJECT MANGEMENT CONSULTANT) TOWARDS COMPLETION OF PHASE - II CONSTRUCTION ACTIVITIES AND RELEASING OF FUND.”

The MOU between NIT and PMC-FEDO was initially for two years for the construction of Phase-II activities from March 2014 to March 2016. Subsequently due to non-completion the construction activities, the following extension was given from time to time

1. Extension from 1st April 2016 to 31st August 2017
2. From 1st September 2017 to 31st March 2018 vide BOG resolution 011.07.02 dated 18.09.2017.
3. From 1st April 2018 to 31st March 2019 BoG Res No.- 013.01.05 dated 14.5.2018
4. Provisional extension from 1st April 2019 to 31st March 2020 dated 05/07/2019

Now still the phase -II construction has not been completed due to various factors, therefore vide letter No. GM(F&F) FE-8144-20 dated 02.05.2020 FEDO has further requested for extension of the phase-II construction period for another three months (upto 30.06.2020) and requested to immediately transfer the adhoc pending due of Rs 12.55 crores as depository. FEDO has also informed that to complete the academic blocks of CSE, Electrical, ECE a additional amount of 23.00 crores may be required.

MHRD vide 18th Installment F.No. 36-3/2019-TS.III(Pt.2) Dated 26th March 2020 has accorded approval of 27.00 crores (Rs. 22.55 for civil works, Rs 2.46 crores for Equipment, Rs. 0.43 for Tube well, 1.00 crores for Furniture etc) for the FY 2019-20.

As NIT Nagaland has not made any payments to M/s FEDO after June 2017 because of pending approval of the Revised Cost Estimate of NIT Nagaland, M/s FEDO and the sub-contractors of M/s FEDO have demobilised from NIT Nagaland site in July 2019. After the receipt of Funds from MHRD in April 2020, NIT Nagaland has requested M/s FEDO to re-mobilise their work force and resume the construction activities for completing the (i) Electronics and Communication Engineering Lab., (2) Computer Science and Engineering Laboratory and (3) Library Data Centre at NIT Nagaland site as recommended by EFC. Further, the Agreement with M/s FEDO

has been extended up to 31/3/2020 and hence it is to be renewed for resuming the work at NIT Nagaland as well as for making any payment towards deposit for carrying out further work.

In response to the above, M/s FEDO has indicated that an amount of Rs. 12.41 Crore has to be paid to M/s FEDO as detailed below (Annexure II),

S. No.	Description	Amount (in Cr)
1	Total Bill Paid to the Contractors so far :	108.20
2	Total Amount to be paid to M/s M P K (Pre final &Final Bills)	6.50
3	Total Amount to be paid to M/s Prasad (24th & 25th Bills)	2.80
4	Total Deposit Amount Utilized,	117.50
5	Amount to be Billed by M/s Prasad	3.00
6	Total	120.50
7	M/s FEDO Fee	6.91
8	Grant Total	127.41
9	(-) Deposit paid by NIT Nagaland	115.00
10	Balance amount eligible for M/s FEDO (including the PMC Charges of Rs. 6.91 Crores)	12.41

M/s FEDO has requested for extension of the Agreement period till 30/6/2020 (Annexure III and Annexure IV) for NIT Nagaland to pay the above said amount so as to enable them to pay to their contractors. M/s FEDO indicated Vide letter GM(F&F)-FE-8144-24 Dt. 14/5/2020 (Annexure IV), that since there was no fund flow for the last three years and all the contractors demobilized the site and they need to clear the outstanding dues immediately. After clearing their dues only they will be able to discuss with their contractors for the balance work to be executed and obtain quote from them for the balance work. M/s FEDO are ready to execute the new MoU with NIT Nagaland for the balance work once outstanding dues are cleared by NIT Nagaland as per agreed mutual terms and conditions.

In view of the following facts such as

- i. M/s FEDO is PSU of Government of India
- ii. The NIT Nagaland have not paid any fund for the last three years to M/s FEDO
- iii. M/s FEDO have executed work for the tune of RS. 117.50 Crores prior to 31/7/2019
- iv. M/s FEDO has executed the work for Rs. 3.00 Crores prior to 31/7/2019 for which bill yet to be submitted
- v. M/s FEDO has carried out work to a total of 120.5 Crores and NIT Nagaland has paid Deposit of Rs. 115.00 Crores.
- vi. FEDO PMC charges Rs. 6.91 Crores till date

The NIT Nagaland has submitted the following proposal for the consideration and Approval of BWC of NIT Nagaland by Circulation Agenda on 27/5/2020.

It is proposed to extend the validity of the MoU till 30/6/2020 and release an amount of Rs. 8.26 Crores (Rs. 120.50 Crores – Rs. 115.00 Crores = Rs. 5.50 Crores plus Rs.2.76 Crores towards PMC charges) for enabling M/s FEDO to pay to their Contractors as detailed below;

1. to release payment of Rs. 2.50 Crores may be released immediately,
2. since the civil works are not completely executed by FEDO and to take care of the findings of the Audit, therefore only 40% of PMC charges may be released. i.e. 2.76 Crores (40% of Rs. 6.91 crores) immediately.
3. balance of Rs. 3.00 Crores after the receipt of the bills form M/s FEDO for the work shown by M/s FEDOM as executed by M/s Prasad for which bills are to be raised.

The BWC, NIT Nagaland has considered the above proposal and resolved as follows,

“RESOLUTION:

It is resolved to extend the validity of the MoU with M/s FEDO till 30/6/2020 and release an amount of Rs. 8.26 Crores (Rupees Eight Crores Twenty Six Lakhs) for enabling M/s FEDO to pay to their Contractors as detailed below;

1. payment of Rs. 2.50 Crores may be released immediately,
2. in view of the fact that the civil works are not yet completely executed by M/s FEDO and in order to take care of the findings of the Audit, only 40% of PMC charges, i.e. 2.76 Crores (40% of Rs. 6.91 crores) may be released immediately.
3. balance of Rs. 3.00 Crores may be released after the receipt of the bills form M/s FEDO for the work shown by M/s FEDO as executed by M/s Prasad for which bills are to be raised.”

The proceedings and minutes of the BWC Meeting Circulation Agenda Dt. 27/5/2020 is placed before the members of BWC, NIT Nagaland for kind consideration and approval including the resolutions passed by the BWC.

The Comments received from the members are given below:

1. Er. Arjun Singh, Director, Technical Education, Nagaland commented vide e-mail @ 2:30 P.M.Dt. 10/6/2020 that,

I am agree and approved the proposal regarding extension of MOU with PMC, M/S FEDO and payment of contractor at NIT Dimapur.

2. Prof. V. Jagadeesh Kumar , IIT Madras commented vide e-mail Dt. 10/6/2020 @ 5:30 P.M. that,

Proposal to extend the validity of the MoU till 30/6/2020 and release an amount of Rs. 8.26 Crores is approved.

3. Prof. Ajay Kalamdhad, IIT Guwahati commented vide e-mail Dt. 10/6/2020 @ 7:01 P.M. that,

Approved from my side..

4. Dr. G. Venkatesh, M/s Sasken Technologies commented vide e-mail Dt. 11/6/2020 that,

Proposal to extend validity of MOU and release the amount is approved.

5. Er. Kahuto Sema, Retired Chief Engineer, Police Engineering Project (PEP), Nagaland commented on 12/6/2020 @ 2:05 P.M. vide SMS to Director's Cell number that,

For extension of time for PMC, I agreed up to 30/6/2020 and as far as for payment get the view of other BoG members whether all terms & conditions are in place or not that need to seen.

Further, Er. Kahuto Sema, contacted Director over phone for clarifications on the above. Director clarified that the payment is for the work already executed. So far the payments made to M/s FEDO are as deposit and all their running bills are yet to be reconciled. As advised by him the reconciliation of the bills will be done with a committee of Civil Engineers. All the details are in the BWC minutes of the meeting, which is enclosed with the Circulation Agenda Proposal.

Er. Kahuto Sema, commented on 12/6/2020 @ 2:46 P.M. vide SMS to Director's Cell number that,

Ok as we discussed, if the payment to be made is for the works already done as per agreement I agree with the proposal.

6. Chairman, BoG commented vide e-mail Dt. 15/6/2020 that,

Approved.

7. Prof. P.S. Robi, Deputy Director, IIT Guwahati commented vide e-mail Dt. 18/6/2020 that ,

I hereby give my consent for the following:

- (i) the validity period of MOU may be extended.
- (ii) the amount due to FEDO may be released.

8. Shri D. K. Singh, Deputy Secretary(Finance), MHRD commented vide e-mail Dt. June 29, 2020 5:54 PM that

Ref. the Agenda.

JS & FA, MHRD has approved the proposals contained in the circulation Agenda.

9. In response to a reminder given by the Director to Shri Madan Mohan, ADG, MHRD commented vide SMS message Dt. 18/6/2020 @ 7:05 A.M. to the Director's mobile that,

ADG informed that he will send the comments after the receipt of the comments from IFD, MHRD.

Director informed ADG regarding the receipt of comments from IFD, MHRD on 29.06.2020 @ 7:10 P.M. that;

“IFD have approved and forwarded the mail sent by Shri D.K. Singh, Deputy Secretary and requested to please peruse the mail and help us. As this matter involves financial repercussion please confirm with them (IFD, MHRD) and accord your comments.”

ADG, MHRD commented vide SMS message to the Director's mobile on 29.06.2020 @ 7:49 P.M. that;

Ok, he also approve.

and Technical Section - III commented vide e-mail Dt. 30/6/2020 @ 4:51 P.M. that,

ADG (HE), MHRD has approved the FC & BoG Agenda sought through circulation agenda on 09.06.2020.

As confirmation to the SMS message of ADG, NITs, MHRD.

RESOLUTION:

1. It is resolved to approve the proceedings and minutes of the Building and Works Committee (BWC) circulation agenda dated 27-05-2020 regarding the extension of time period given to M/S FEDO (Project Management Consultant) towards completion of Phase - II construction activities and releasing of fund for releasing of the payment to the various vendors of the PMC.
2. It is resolved to approve and endorse the following Resolutions passed by BWC circulation agenda dated 27-05-2020
 - (i) Extension of the validity of the MoU with M/s FEDO till 30/6/2020 and release an amount of Rs. 8.26 Crores (Rupees Eight Crores Twenty Six Lakhs) for enabling M/s FEDO to pay to their Contractors as detailed below;
 - a) payment of Rs. 2.50 Crores may be released immediately,

- b) in view of the fact that the civil works are not yet completely executed by M/s FEDO and in order to take care of the findings of the Audit, only 40% of PMC charges, i.e. 2.76 Crores (40% of Rs. 6.91 crores) may be released immediately.
- c) balance of Rs. 3.00 Crores may be released after the receipt of the bills form M/s FEDO for the work shown by M/s FEDO as executed by M/s Prasad for which bills are to be raised.”

Recorded by

Registrar, NIT Nagaland