

**COMMITTEE ON PETITIONS**

**(FIFTEENTH LOK SABHA)**

**TWENTY SECOND REPORT**

**MINISTRY OF ROAD TRANSPORT & HIGHWAYS**

**(Presented to Lok Sabha on 4th December, 2012)**



**LOK SABHA SECRETARIAT**

**NEW DELHI**

**December, 2012/Agrahayana 1934 (Saka)**

**CPB. NO. 1 Vol.XXII**

**Price: Rs.....**

**(c) 2012 BY LOK SABHA SECRETARIAT**

**Published under Rule 382 of the Rules of Procedure and Conduct of Business in Lok Sabha (Fifteenth Edition) and printed by the Manager, Government of India press, Minto Road, New Delhi**

## **CONTENTS**

	<b>Pages</b>
<b>Composition of the Committee on Petitions:</b>	<b>(iv)</b>
<b>1. INTRODUCTION.....</b>	<b>(v)</b>
<b>2. REPORT</b>	

**Action Taken by the Government on the recommendations contained in the Twelfth Report (15th Lok Sabha) on the representation signed by Shri Gurudas Das Gupta, MP, Lok Sabha regarding : Delay in construction of a bridge over the river Rupnarayan on NH-6 in West Bengal.**

## **ANNEXURE**

Minutes of the Fifty First sitting of the Committee on Petitions held on 26 September, 2012.

## **COMPOSITION OF THE COMMITTEE ON PETITIONS**

**Shri Anant Gangaram Geete                      -                      Chairman**

### **Members**

- 1.      Shri Khiladi Lal Bairwa**
- 2.      Shri Mukeshkumar Bheravdanji Gadhvi**
- 3.      Shri Syed Shahnawaz Hussain**
- 4.      Dr. Manda Jagannath**
- 5.      Shri G.V.Harsha Kumar**
- 6.      Shri Narahari Mahato**
- 7.      Shri Bhartruhari Mahtab**
- 8.      Dr. Sanjeev Ganesh Naik**
- 9.      Shri Nama Nageswara Rao**
- 10.    Prof.(Dr.) Ram Shankar**
- 11.    Shri Rakesh Singh**
- 12.    Shri P. Venugopal**
- 13.    Shri Adagooru Vishwanath**
- 14.    Prof. (Dr.) Ranjan Prasad Yadav**

### **SECRETARIAT**

- |                                     |          |                             |
|-------------------------------------|----------|-----------------------------|
| <b>1.      Shri P.K. Grover</b>     | <b>-</b> | <b>Additional Secretary</b> |
| <b>2.      Shri Shiv Kumar</b>      | <b>-</b> | <b>Director</b>             |
| <b>3.      Dr. Ram Raj Rai</b>      | <b>-</b> | <b>Additional Director</b>  |
| <b>4.      Smt. Jagriti Tewatia</b> | <b>-</b> | <b>Under Secretary</b>      |
| <b>5.      Shri Soumik Roy</b>      | <b>-</b> | <b>Executive Assistant</b>  |

## **TWENTY SECOND REPORT OF THE COMMITTEE ON PETITIONS (FIFTEENTH LOK SABHA)**

### **INTRODUCTION**

I, the Chairman, Committee on Petitions, having been authorized by the Committee to present the Report on their behalf, present this Twenty Second Report on the Action Taken by the Government on the recommendations contained in the Twelfth Report (15th Lok Sabha) on the representation signed by Shri Gurudas Das Gupta, MP, Lok Sabha regarding : Delay in construction of a bridge over the river Rupnarayan on NH-6 in West Bengal.

2. The Committee considered and adopted the draft Twenty Second Report at their sittings held on 26 September, 2012.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

**NEW DELHI;**

**26 September, 2012**  
**4 Asvina, 1934 (Saka)**

**Anant Gangaram Geete,**  
**Chairman,**

**Committee on Petitions**

## **REPORT**

### **ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE TWELFTH REPORT (15TH LOK SABHA) OF COMMITTEE ON PETITIONS ON THE REPRESENTATION SIGNED BY SHRI GURUDAS DASGUPTA, MP, LOK SABHA REGARDING DELAY IN CONSTRUCTION OF A BRIDGE OVER THE RIVER RUPNARAYAN ON NH-6 IN WEST BENGAL.**

\*\*\*\*\*

The Committee on Petitions (Fifteenth Lok Sabha) in their Twelfth Report presented to Lok Sabha on 31.08.2010 had dealt with a Representation received on 29 October 2009 and signed by Shri Gurudas Dasgupta, MP, Lok Sabha regarding delay in the construction of a bridge over the river Rupnarayan on NH-6 in West Bengal.

2. The Committee had made certain observations/recommendations in the matter in their Twelfth Report (15th Lok Sabha) which were forwarded to the Ministry of Road Transport and Highways with the request to furnish their Action Taken Replies thereto for consideration of the Committee.

3. The Action Taken Replies have since been received from the Ministry of Road Transport and Highways vide their O.M. dated 15.02.2011, 22.07.2012 and 04.05.2012 respectively - in respect of the recommendations contained in the aforesaid Report, which have been detailed in the succeeding paragraphs.

4. In para 2.35 of the Report, the Committee had observed/recommended:-

"The Committee are, anguished to note that the construction of Rupnarayan bridge could not be completed within the stipulated timeframe of three years and also during the extended period of one

year. The project alongwith 8 other bridges on NH-6 was awarded to M/s. Bhageeratha Engineering Ltd. through bidding on 15 January 2001 and the same was to be completed by 14 January 2004. The contractor was also extended financial assistance and granted one year extension of time to complete the project by 2005. But he made no progress in completion of construction work of the project. The Committee are distressed to note that the authority concerned did not take any effective and stringent action against the contractor for his inability to complete the bridge and delinquent behaviour. In fact, the authorities concerned went into slumber for four years and woke up in August 2008 for terminating his contract without any convincing justification for the delay. This only shows the callous and insensitive attitude of the authorities on the issue of the utmost public importance. While tendering evidence before the Committee, the Secretary, Ministry of Road Transport and Highways was also forthright and candid enough on this issue. According to him : "... when the work was stopped as early as 2004 and termination took place in 2008, irrespective of the fact whether the eight bridges were part of the contract or not, I will find it difficult to justify this time lag, the four years to terminate.....". The Committee are, therefore, of the considered opinion that blacklisting of the contractor for his failure to complete the project was not adequate enough. After taking funds from the Government, the contractor deliberately failed to complete the project and therefore, he not only deceived the Government with the money but also made the people to suffer which amounts to an act of utter apathy and insensitiveness on his part. The Committee, therefore, recommend that as assured during the course of evidence, the legal opinion of the Solicitor-General on the issue may be solicited and if any element of criminal intent is found against the contractor, the action may be taken against him as per the law."

5. In reply to the above recommendation of the Committee, the Ministry of Road Transport and Highways have stated that the matter regarding criminal intent against the contractor was referred to the Hon'ble Solicitor General of India and according to his legal opinion in the matter the facts on record do not indicate any case of criminal intent, cheating or criminal negligence.

6. In para No. 2.36 of the Report, the Committee had observed/recommended:

"The Committee note that the completion of Rupnarayan Bridge has since been included in six-laning of Dankuni-Kharagpur Section of NH-6 under NHDP Phase-V on (BOT) Toll. The bids have been received on 19 May 2010 and are under evaluation. The Committee also note that the BOT concessionaire has to complete the six-laning works including Rupnarayan bridge in 30 months. The Committee expect that the bids received for the purpose will be finalised on priority basis so that the construction of work of the bridge could be started without any further delay. The Committee would also like the Ministry to coordinate with all the concerned and keep track of the progress made in this regard so that the work is completed within a stipulated time frame."

7. In reply to the aforesaid observation/recommendation the Ministry of Road Transport and Highways have stated :-

"12 responsive bids were received on 10.01.2011 from 24 pre qualified bidders. Letter of Award (LOA) was issued to the highest Bidder, M/s Patel Engineering Ltd. (at a premium of Rs 190.53 cr) on 17.01.2011. M/s Patel Engineering Ltd. however, expressed its inability to accept the LOA on 24.01.2011 stating that due to some error in data compilation the bid value has been erroneous. The 11 bidders have been requested to match the offer of highest bidder in the second round of bidding due for submission on 7 February 2011. In case the offer in second bidding is not received by 07.02.2011, fresh bids will be invited from all bidders."

8. The Ministry of Road Transport and Highways vide their O.M dated 22.07.2011 subsequently stated that the balance work has now been included in the six-laning project of NH-6 from Dankuni to Kharagpur under NHDP-5. Letter of acceptance for this project has already been issued on 25.02.2011. The concession agreement has also been signed on 20.06.2011. It is expected that work will commence after the monsoon in the month of October 2011. It is also to be informed that a new three-lane bridge, at the downstream side of the existing bridge is proposed to be constructed as a part of this six-laning project."



9. The Ministry, vide their O.M. dated 04.05.2012, however, further updated the Committee about the latest status in the matter that the work of six-laning of the Dhankuni–Kharagpur Section of NH-6 including construction of Rupnarayan Bridge on BOT (Toll) basis under NHDP Phase V has been awarded to M/s Ashoka Buildcon Ltd. and agreement has been signed on 20.6.2011. The work of Rupnarayan Bridge is already in progress and is likely to be completed by June, 2013.

### **Observations / Recommendations**

**10. According to the representation submitted to the Committee by Shri Gurudas Dasgupta, MP, Lok Sabha, the Rupnarayan Bridge was reported to be in a dilapidated condition and as such incapable of handling heavy traffic load. The vibrations caused due to the movement of vehicles raised concern about its strength, stability and sustainability. Lakhs of people and overloaded vehicles crossed the Bridge everyday and it was feared that the Bridge might collapse any day.**

**11. In this connection, the Committee were given to understand that construction of Rupnarayan Bridge along with 8 other Bridges on NH-6 was awarded to M/s Bhageerath Engineering Limited through bidding process on 15 January 2001 with its scheduled completion by the 14 January 2004. Since the Project could not be completed by the scheduled time, the contractor was granted an extension of time for one year. However, despite this extension the contractor could not make much headway in respect of the work of Rupnarayan Bridge and therefore, the contract of M/s Bhageerath Engineering Limited was terminated. Subsequently, the tenders for the balance work of the incomplete Rupnarayan Bridge were again invited. But, in the meanwhile, the stretch of NH-6 from Dhankuni to Kharagpur was taken up for six-laning under NHDP, Phase-V, and therefore the Rupnarayan Bridge falling on this stretch was included as a part of the six-laning of Dhankuni-Kharagpur section of NH-6 under NHDP Phase-V on Build Operate Transfer (BOT) on Toll basis. The Committee note in particular that the BOT concessionaire has to complete the six-laning work including Rupnarayan Bridge in 30 months.**

**12. Now from the Action Taken Replies furnished by the Ministry, the Committee note that the work of six-laning of the Dhankuni – Kharagpur Section of NH-6 including construction of Rupnarayan Bridge on BOT (Toll) basis under NHDP Phase V had been awarded to M/s Ashoka Buildcon Ltd. and agreement had been signed on 20.6.2011. The work of Rupnarayan Bridge is already in progress and is likely to be completed by June, 2013. The Committee also note that a new three-lane Bridge at the downstream side of the existing Bridge is also proposed to be constructed as part of this six-laning project.**

**13. The Committee recommend that the Ministry of Road Transport and Highways should atleast now ensure that the contracting agency abides by the timeline stipulated for the purpose and the work of Rupnarayan Bridge is completed within that timeframe i.e. by June 2013 including the new three lane Bridge to be constructed at the downstream side. The Committee would like to be apprised of conclusive action taken in this regard.**

**NEW DELHI;**

**26 September, 2012  
4 Asvina, 1934 (Saka)**

**Anant Gangaram Geete,  
Chairman,  
Committee on Petitions.**