



Creating Value Ethically for Engineers

FROM THE PRESIDENT'S DESK



Dear Members and Friends,

Development is imperative for the country to grow and prosper hence the current phase is inter alia focusing on that. Special emphasis is being put on the infrastructure sector, as it is key to communications which spurs the country's economic development.

An investment of over Rs. 3 Lac crores has been planned for the current fiscal FY 2023-2024, just for the upgradation and maintenance of roads so that the last physical connectivity link is provided.

For the roads and highways projects the policy decisions as well as contracts are assigned based on the data given in the Detailed Project Reports prepared by the consulting engineers. Although considerable experience and expertise exists indigenously, there has often been criticism about the quality of the DPRs which leads to delays, change of scope and other issues while implementing the project.

While the designs per se are comparable with international standards, the consultancy fee for a typical DPR in India varies from 0.05% to 0.10% of the cost estimate, as compared to 0.50% to 2.0% in developed countries. The reasons thereof need to be studied.

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Another factor is the time period given for DPR preparation. It is 10 to 12 months in India whereas it's 24 to 36 months internationally.

Besides, decision-making is protracted and often delayed with a caveat that there will be no cost implication. The consultant has to bear the additional costs and is thus always put under pressure to cover the delays.

Earnest introspection is therefore required by all stakeholders with an open mind for improving the quality of DPRs and uphold the integrity of the profession. All stakeholders concerned are requested to send their notings to CEAI and join the discussions which are being planned for July 2023 so that this becomes a matter of the past.

Coming down to the other functioning of CEAI, the last quarter has seen very good activities by the Young Professional Forum of CEAI in terms of webinars.

CEAI's Western Region Centre has organised a "Construction Law Course" which has been highly appreciated and is progressing very well.

Members are requested to be more active vis-à-vis the association's functioning and activities for propounding the excellent works being done by the professional engineers. Engineers are the *sine qua non* for all development. Step in with CEAI and keep the flag flying high.

Warm regards,



R S Sharma

WEBINAR ON "LEGAL AND GENERAL ASPECTS OF CONTRACT PROCESS AND CONTRACT ADMINISTRATION"

The third webinar organised by the YP Forum of CEAI was held on 14th June 2023 on "***Legal and General Aspects of Contract Process and Contract Administration***".

Mr Rama Shankar Sharma, President CEAI welcomed the speakers and the participants.

Presentations were made by eminent speakers:



Dr Vandana Bhatt, Contract Administration Consultant, PROCARE, made a presentation on the topic "***Construction Contract Case Laws***". She briefed on the basic concept of the need of learning the subject of Contract Administration and Law. She added that Engineers and Professionals need to know the laws governing their activities to mitigate or reduce damage being done through ignorance of Law. Engineers should be aware of the basic laws to avoid damages to the project and the organization.



Ms Renjitha Nair, MBE, MRICS, MAPM and Member of Future Leader Forum of CEAI, made her presentation on "***Contract Administration***". The presentation was aimed to inculcate the significance and importance of contract administration among

young engineers. By defining the important terms, the session focussed on the basic concept and processes involved in contract administration. The presentation also highlighted various scenarios that may be encountered in the administration of construction contracts, emphasizing the role of the contract administrator. The session intended to brainstorm young engineers to redefine the respective deliverable with due reference to the contract.



Link : <https://www.youtube.com/watch?v=NpH28gFRrWc>

CONSTRUCTION LAW COURSE

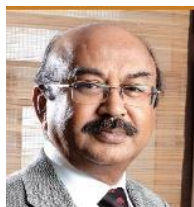
The **“Construction Law Course”** organized by the Western Region Centre commenced with the Inaugural function on the 10th June 2023 at the Indian Merchants’ Chamber, Churchgate, Mumbai.



Dr. Harshavardhan Subbarao, Chairman, CEAI – Western Region Centre; welcomed everyone and gave a brief about CEAI. He next dwelt on need for the Course and later announced that the **“Construction Law Course”** is dedicated to the memory of Dr. Kirty Dave, a Civil Engineer who had become a renowned techno-legal consultant, a doyen in that field. Thereafter, he invited all present to introduce themselves.



Dr. Vandana Bhatt, ProCare, Contract Administration Consultant, explained the necessity for the course and went on to brief on its concept and content. She added that there was a dire need for an act relating to Construction works. Currently the law as applied was all based on the Indian Contracts Act, the Arbitration Act, etc. but there was nothing specific for Construction. Hence, the intent was to apprise the participants regarding laws that have evolved relating to Construction. Dr. Bhatt advised the attendees that the sessions would be more of knowledge sharing and hence they could gain by actively participating in the discussions which will be regarding *Engineering Law; Contractual Problems of Project Execution; Mechanism of Amicable Settlement of Differences; and Practical Application after which there would be a Moot Court.*



Dr. P R Swarup, Director General, Construction Industry Development Council, the Chief Guest, in his Keynote Address emphasized on learning from first principles and learning from stories. He elucidated that Construction Law is about logic and precedence and went on to dwell on the etymological thicket of Broughton's Buzzwords. He posed some questions which were really advice to the participants as to how they need to enter into and operate contracts.



Mr. Sathish Rao, Vice President, Business Unit Head – PMC BU, TATA Consulting Engineers Limited, stated that the course satisfied a much needed input and would help the Engineers in their routine of executing and monitoring the contracts. He added that as advised by Dr. Bhatt, the participants need to learn by interactions with the faculty and one another.

Dr. Milind Wankhede, Legal Advisor, Construction Contracts & Arbitration Law; Adjunct Professor, Indian Institute of Technology Bombay thanked the Chief Guest, the Course Coordinator – Dr. Vandana Bhatt, other members of the faculty, CEAI – WRC, IMC, Supporting Organisations, Media Partners, Vendors, CEAI Director and its Secretariat, the Chempro Staff for their tirelessly working for CEAI-WRC, and all others who joined to bring the course to fruition.



The Course will conclude on 12th August 2023.

ANNUAL GENERAL MEETING OF CEAI EASTERN & NORTH EAST REGION

The Annual General Meeting (AGM) of the CEAI Eastern and North Eastern Region was held on 10th June 2023. The Office Bearers/ Committee for the E&NE Region for the FY 2023-2024 are:

- i. Mr. Sourav Daspatnaik, Chairman
- ii. Mr. Amitabha Datta, Co-Chairman
- iii. Mr. Chandrachudha Bhattacharyya, Hon. Secretary
- iv. Mr. Syama P Datta: Hon. Treasurer
- v. Mr. Debendra Narayan Chattopadhyay, Member
- vi. Mr. Dilip Dhar, Member
- vii. Mr. Anirban Dutta, Member

FROM THE DIRECTOR'S DESK

During the month of June 2023, the Committees that met to conduct their business were:

- GC meeting
- CEAI Academy
- Seminar & Events Committee
- Membership Committee
- Finance Committee
- Young Professional Forum
- Constitution Review Committee

The CEAI Secretariat set up a meeting for the FIDIC Evaluation Committee, CEAI Awards Committee, Organising committees for DFR Workshop & International conference.

CEAI has initiated interaction with SEPC to hold Second Conclave on Export of Services. It has been tentatively scheduled for 18th August 2023.

CEAI Secretariat has been continuously supporting FAP Communications Committee to help in organizing a Conference during November 2023.

CEAI Young Professional Forum successfully conducted its webinar on **“Legal and General Aspects of Contract Process and Contract Administration”** on 14th June 2023

The compendium on Term of Reference (TOR) of the various Committees have been circulated to GC members for their review.

Reminders for subscription for the Financial Year 2023-2024 have been circulated to members. Members, who have not yet paid their subscription, are requested to pay their subscription at the earliest.

CEAI Academy has put in efforts to organize the Soft Skill program on **“Be A Constructive Leader”**. The program is being re-scheduled to encourage and allow for greater participation.

VIEWPOINT

The June 2023 issue on the theme **“Climate Resilient Infrastructure”** will be circulated soon.

The theme for CEAI’s quarterly magazine **“ViewPoint”**, September 2023 issue is **“Consultancy for Rural Area Development”**. Mr. Girish Mishra is the Guest Editor for the issue.

It is the heartland of a country that keeps it going and growing; it is an area that is essential for life to survive. India has put a lot of emphasis on the upliftment of the Rural areas – to provide a better quality of life by providing better houses, sanitation, schools, water, electricity, road and rail connections, small scale manufacturing facilities, etc. The Government of India has announced a number of schemes for the development of the Rural areas. Consulting Engineers are playing a key role in all these schemes and helping the country rise. Agricultural Engineers are also doing their share in helping to grow better crops, improving the yield and making farming a less tedious task. Digitalisation and IoT with their ubiquitousness have gone a long way in demolishing the rural and urban divide.

Papers are invited regarding the latest or projected systems, methods, technologies, etc. regarding different aspects encompassing Architectural, Civil, Geotechnical, Structural, Electrical, Instrumentation & Control, Communications i/c Information Technology, Mechanical engineering as well as Agricultural Engineering systems to cover all aspects for development of Rural areas.

Professionals are invited to share case studies of how they addressed the challenges faced, practical issues experienced and the solutions to those, etc. Photographs, charts, diagrams, drawings, etc. would benefit readers for better appreciation of the issues encountered and the manner in which they were addressed.

The theme for the other issues for the term 2023-2024 are:

1	December 2023 – Consultancy in the Industrial Sector
2	March 2024 – Consultancy for Start-Up and MSME
3	June 2024 – Affordable Housing.
4	September 2024 – Energy Transition
5	December 2024 – Recycling & Reuse of Building Materials in Construction Industry.

The articles for an issue need to reach CEAI at least 3 weeks prior to the end of the month of the ViewPoint issue. Articles need to be in Times New Roman 12 with single line spacing with before and after 6 pt and normal margin, on A4 size. A recent clear and bright passport size photograph of the author(s) is to be sent along with the article. For details of formatting please refer to “*Format for Articles for CEAI Viewpoint*” on CEAI’s website, under ‘*Publications*’.

Advertisement in ViewPoint

ViewPoint is circulated to all CEAI Members, FIDIC, Ministries of the Government of India, Public & Private Sector Undertakings, Construction Firms, Contractors, Consultants, Foreign Missions and Funding Institutions in India and other organisations related to or dealing with the engineering profession. Thus, all stakeholders partnering development and progress are its readers.

Catch the Customers Eye

Get Wide Exposure

Improve Visibility



VIEWPOINT

Support from CEAI members and stakeholders are sought for increasing the number of advertisements so that ViewPoint gains in its stature as a unique Technical Publication for the fraternity and the public at large to spread information about how Consulting Engineers are helping society for improving the quality of life and doing so sustainably.

The rates for advertisements in **VIEWPOINT** with effect from 1st January 2023 are given below:

Item	Rate Per issue* (Rs)	Discounted rate at 10% for 2 consecutive issues* (Rs)	Discounted rate at 20% for 4 consecutive issues* (Rs)
Back Cover	25,000.00	45,000.00	80,000.00
Inside Front Cover	18,000.00	32,400.00	57,600.00
Inside Back Cover	18,000.00	32,400.00	57,600.00
Full Page (Colour)	12,000.00	21,600.00	38,400.00
Full Page (Colour), if a specific page position is required.	14,000.00	25,200.00	44,800.00
Full Page (B&W) (such advertisements will be taken up for printing only when there are 4 or multiple of 4 advertisements for an issue)	8,000.00	14,400.00	25,600.00

Notes: *GST @ 5% or as prescribed will be added to the above rates.

**Inside Front Cover booked till June 2023

***Inside Back Cover booked till September 2023



CONSULTING ENGINEERS ASSOCIATION OF INDIA

WE OFFER**FIDIC TRAINING COURSES**

- **Module I : Practical Use of FIDIC Conditions of Contract**
- **Module II : Management of Claims and Disputes Resolution**
- **Module IV : Contract Management and Administration**

The investment in infrastructure is growing and would continue to grow at an accelerated rate in the near and distant future across the Globe and especially in developing economy like India. The multilateral financial institutions are pouring in funds and want to be a part of the India growth story. These MDBs invariably use the FIDIC Conditions of Contract which are acclaimed as the Gold Standard of Conditions of Contract Globally.

The FIDIC Conditions of Contract are being used the world over where multi-lateral development banks provide the funding. And in large complex Government projects.

With a number of large and complex projects BOTH on-going and planned in the country, this training course will bring the participant the necessary detailed knowledge and insights as to the claim management and dispute resolution provisions under the FIDIC Conditions of Contract.

It covers the identification of project risks, their allocation, and the various causes of claim which can emerge over a construction contract and the way FIDIC addresses those. It details the way to handle claims – preparation, submission, assessment, determination under FIDIC Contracts, and how disputes are prevented or otherwise resolved.

Certificate

After completion of the training a Certificate will be distributed to the participants.

**The comprehensive
program on FIDIC Contracts
led by accredited trainers**

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