

भारतीय गैर न्यायिक

एक सौ रुपये

Rs. 100

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सत्यमेव जयते

ONE
HUNDRED RUPEES

भारत INDIA
INDIA NON JUDICIAL

गुजरात गुजरात GUJARAT

AD 353660

Sl. No.	2460	Dated	10/9/13
Inv. No.			
Address	SIEMENS INDIA Z.A.S.		
	182 Floor 4/Ahmednagar		
Stamp Vendor	Gandhinagar H.O.		

AGREEMENT BETWEEN

INDUSTRIES COMMISSIONERATE, GOVERNMENT OF GUJARAT

AND

SIEMENS INDUSTRY SOFTWARE (INDIA) PVT. LTD.

AND

DESIGNTECH SYSTEMS LTD. ,INDIA

AND

LD ENGINEERING COLLEGE, AHMEDABAD

The agreement is made at Mahatma Mandir, Gandhinagar, on this 11th day of September, 2013, between, Government of Gujarat hereinafter called the

Government (which expression shall unless the same be repugnant to the context of measuring thereof mean and include its successors and assigns) of the one part.

And

Siemens Industry Software India Private Limited, having its office at Tower D, 16th Floor, Global Business Park, Mehurli- Gurgaon Road, Gurgaon 122002 Haryana, India , hereinafter called "Siemens" (which expression shall unless the same be repugnant to the context of measuring thereof mean and include its successors and assigns) of the other part.

And

DesignTech Systems Ltd. having its registered office 6, Commerce Center, Paud Road, Pune 411 038, Maharashtra, India , hereinafter called "DesignTech" or "Proposer" (which expression shall unless the same be repugnant to the context of measuring thereof mean and include its successors and assigns) of the other part.

And

LD Engineering College, Ahmedabad, hereinafter called "LD Engineering" (which expression shall unless the same be repugnant to the context of measuring thereof mean and include its successors and assigns) of the other part.

This agreement is made to establish the Centre of Excellence (CoE) in Aerospace & Defense at LD Engineering, Ahmedabad premises. The proposed National level CoE would be at LD Engineering, Ahmedabad having Industries Partners like HAL, L&T, Tata Power SED etc.

The Authority of LD Engineering, Ahmedabad have agreed in principle through the proposal letter dated 09/07/2013 to house proposed CoE at their premises and would extend the desired infrastructure facilities.

1.0 Preamble

Gujarat, a leading Industrial state in India, has excellent infrastructure that includes 42 ports, 13 domestic airports and 1 international airport. The state also has extensive road and rail network. The urban and rural areas have uninterrupted power supply. There are 83 product clusters, 257 industrial estates, 32 notified Special Economic Zones (SEZ) and upcoming infrastructure on the Delhi-Mumbai Industrial Corridor (DMIC). Almost one-third of the DMIC project is taking place in Gujarat alone. A Dedicated Freight Corridor (DFC) is being set up between Mumbai and

Delhi. Of the 24 industrial nodes identified across six states where DFC passes through, 6 have been proposed for Gujarat alone.

Gujarat accounts for 5% of India's population but 16% of its industrial output and 22% of its exports. With a supportive policy framework, Gujarat has outpaced growth of India.

However, to sustain the current growth and provide a conducive environment to Industries, Gujarat needs to urgently address the challenge of lack of availability of skilled manpower.

- All the 11 high growth sectors have skilled manpower availability challenge.
- The major skill gaps are at the fresher level as the students are not 'Industry Ready'
- By year 2022, the state will need additional 26 lakh people to sustain the expected growth in industries.
- Major shortage will be for ITI trained technicians, diploma and degree engineers.

Skill Development is a key focus area of Government of Gujarat. The emphasis is developing skills in partnership with industry, thus making the skills development program more industry relevant, self-sustainable and creating employment opportunities for youth.

2.0 Objectives

The broad objectives of the Program to be own by the Centre are as follows:

1. Qualitative improvements in Technical Education
 - a) Improvements in College labs infrastructure by adopting latest open technologies in engineering design, manufacturing, analysis and management to serve the needs of all the industrial units irrespective of use of the machinery and technologies.
 - b) Skill Up gradation of faculty by training
 - c) Update Course curriculum to modern industrial practices
 - d) Promote Research & Development and Innovation for existing Industries.
2. Promote Industry – Academia Interfacing to make improvements in Technical Education System sustainable and in line with Industry requirements.
3. Training of students to improve employability.

4. Enhance the reputation of technical institutions as modern and equipped with state of art technologies.
5. Create a pool of skilled manpower to cater to current and future industrial landscape of the state.
6. Availability of trained workforce to attract industries to set up units in the State.

3.0 Methodology (Activities and Deliverables):

1. Setting up of Centers of Excellence by providing Siemens Products.
2. Training of Faculty on Siemens Industry Software applications and supplied products.
3. Operations of Center of Excellence by DesignTech for 2 years and 1 year of Handholding to the institution after handing over the assets and operational responsibilities.

3.1 Scope of Work under Academic Program

1. Enrolling students for training courses & providing course material.
2. Training of students on supplied Siemens products.
3. Certification of the students upon successful completion of training.

4.0 Broad Terms for the Sanction of Financial Support by Government of Gujarat

Whereas Siemens and DesignTech Systems Limited has applied to Government for assistance under scheme -3 of Improving Industrial Infrastructure for setting up a "Center of Excellence" in Aerospace & Defense. A financial assistance of Rs.17.10 Crore (Rupees Seventeen Crores Ten Lakhs Only) inclusive of applicable taxes is sanctioned vide letter No.IC/INC/CoE/847104 Dated 31st July 2013. The sanction of assistance is subject to the terms and conditions mentioned in the Sanction Letter.

- 4.1 The progress of the CoE's would be monitored & reviewed at State Level by the Committee constituted as mentioned below under chairmanship of Additional Chief Secretary (I&M). The committee would advise / direct the CoE's & also resolve the issues if any during the implementation of the project.

- Commissioner, Technical Education
- Industries Commissioner
- Managing Director, Siemens
- Managing Director, Design Tech
- Head of Concerned CoE & Principal, LD Engineering College, Ahmedabad
- Prof. Kiran Joshi, Faculty of Management Studies, M.S. University
- Joint Commissioner of Industry.

4.2 Local Board of Governance:

The parties would form a board of governance to oversee the implementation and operations of the CoE . The board will comprise of the following:-

- Head of Concerned CoE & Principal, LD Engineering College, Ahmedabad
- Joint Director, Technical Education
- Two representatives from Government of Gujarat
- One representative from Siemens Industry Software .
- One representative from DesignTech Systems Ltd.
- One independent member of industry/academic repute to be mutually agreed upon among the parties.

DesignTech will run the operations for the Center for 2 years. From third year onwards the ownership will be transferred to the residing institute at no additional cost. The institute has to agree to run the center for additional 8 years. The project shall have to remain in operation for minimum period of 10 years.

The project shall have to be operationalized within 6 months from the date of signing of the agreement.

4.2 The intended outcomes of the project are:

1. Improved skills of faculty at Technical Institutes
 2. Technical Education Curriculum more updated and aligned with Industry requirements
 3. Centers of Excellence and Skill Building Centers to focus on training students in line with latest Industry needs and make them more employable
 4. Improved placements of students in colleges. Students can compete in national employment market for better remuneration and growth.
- Design Tech assures that the government assistance is utilized in a proper way for the successful implementation of the project.
 - DesignTech shall provide progress report on implementation of the project & utilization certificates of the assistance granted by the government from time to time.

5.0. Obligation of Proposer

- Setting up of Centers of Excellence by providing Siemens Software and related Hardware products.

- Training of Faculty on Siemens Industry Software applications and supplied products.
- Operations of Center of Excellence for 2 years and 1 year of handholding to the institute after handing over the assets and operational responsibilities.

5.1 Scope of Work under Academic Program

- Enrolling students for training courses & providing course material.
- Training of students on supplied products.
- Certification of the students upon successful completion training.

6.0 Obligation of GoG

6.1 The following will be the terms of the disbursal of grant to the CoE:

- Disbursement of Rs.17.10 Crore (Rupees Seventeen Crores Ten Lakhs Only) for arranging supplies and initiating the project will be released to DesignTech on the initiation received from Siemens Industry Software (India) Pvt. Ltd..
- In case Siemens and Designtech commits breach of any condition laid down in Government Resolution No: BGT/1008/626-G, dated, 27/02/2009 and its Corrigendum GR No: BGT/1008/626-G Dated. 11/01/2011 and subsequent amendment issued from time to time, the state level approval committee and/or government is authorized to take over the project along with the assets of the project and other fixed assets except other liabilities of promoters and employees.

6.2 Duration of the CoE in Aerospace & Defense

- The operative period of the CoE is ten years as under.

Siemens and DesignTech will run the operations for the Center for 2 years and third year onwards the ownership will be transferred to the respective colleges at no additional cost. After the completion of 2nd year, DesignTech will provide one year handholding services to the centre and thereafter DesignTech will provide technical services or any other services for further period on mutually agreed terms and conditions.

- Time line for calculating the support for 3 years, shall start from the date of enrollment of the first batch of Student.

6.3 Monitoring Mechanism

The activities of the CoE in Aerospace & Defense shall be guided by the authorities constituted as mentioned in clause 4.1, & 4.2 above.

6.4 Utilization of Funds

- The activities carried out by the CoE in Aerospace & Defense will be reported regularly to the Government through the Board of Governance.
- DesignTech will maintain a separate head of account for the operational income and expenditure accounts of the CoE.
- The report of operational income and expenditure account of each CoE will be certified by the statutory auditors and will be submitted to Government of Gujarat at the end of each financial year.
- Any capital asset created from this grant would be the property of the Government of Gujarat.

7.0 Limitation of Liability

In no event will the measure of damages payable by either party include, or nor will either party be liable for, any amounts for loss of income, profit or savings or indirect, incidental, consequential, exemplary, punitive or special damages to any party, including third parties, and all such damages are expressly disclaimed.

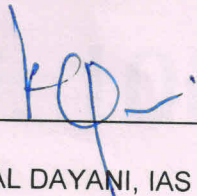
8.0 Jurisdiction of the Agreement

This agreement shall be governed and construed in accordance with the laws of India and the courts of Gujarat shall have the jurisdiction to entertain any dispute or suit arising out of or in relation to this agreement.

In witness hereof, the Siemens industry Software (India) Pvt. Ltd., Design Tech Systems Ltd. and the Industries Commissioner on behalf of Government have executed those presently in manner hereinafter mentioned on the 11th day of September 2013 at Gandhinagar.

Signed on behalf of


INDUSTRIES COMMISSIONERATE
GOVERNMENT OF GUJARAT

Signature: 

Name: KAMAL DAYANI, IAS

Designation: Industries Commissioner

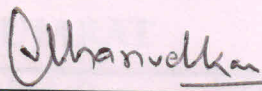
LD ENGINEERING COLLEGE,
AHMEDABAD

Signature: 

Name: Prof (Dr) M N Patel

Designation: Principal

DesignTech Systems Limited, Pune

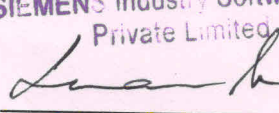

Signature: 

Name: Vikas Khanvelkar

Designation: Managing Director

Siemens Industry Software P Ltd.

For SIEMENS Industry Software (INDIA)
Private Limited

Signature:  

Name : Suman Bose

Designation: Managing Director

Witness

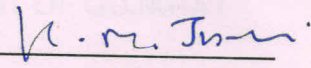
Name: Sh. N.M.Trivedi

Signature: _____

Designation: Jt. Commissioner of Industries

Witness

Name: Prof. Kirankumar Joshi

Signature: 

Designation: Faculty of Management
Studies