



साऊथ ईस्टर्न कोलफिल्ड्स लिमिटेड

(मिनी रत्न कंपनी) (कोल इंडिया लिमिटेड का एक अंश)

CIN (U10102CTI1985GO1003161)

कार्यालय, महाप्रबन्धक, गेवरा क्षेत्र

पो.आ.- गेवरा प्रोजेक्ट, जिला - कोरबा (छ.ग.) 495452

सन्दर्भ : एसईसीएल / गे क्षेत्र / वि.एवं.याँ / 23-24 / 172 दिनांक: 29/04/23

REGISTERED POST / E-MAIL

To,
M/s. Ujyara Rural Mart,
Shop No: 82, Near Bus Stand, Amgaon,
Hardi Bazar, Distt.- Korba (C.G.)- 495452.
Email Id: urmarttender@gmail.com
Mobile : 91-9770452576 / 8770452576

PAN- DFIPR7369P
Proprietor – Laxminarayan Rathore.

Subject:- Banning/debarring of your firm, **M/s. Ujyara Rural Mart** from being eligible to submit bid in South Eastern Coalfields Limited for a period of 02 (Two) years with immediate effect.

Reference:-

1. Name of work:- " Cleaning of spillage coal, slush, slurry etc. at various section of R stream Conveyors including 5000 Te Ground Bunker of Back-up, CHP of Gevra Project for a period of 365 days".
2. NIT No: SECL/GM/GA/SO(ENM)/E-Tender/21-22/43 dtd. 22.07.2021
Tender Id No: 2021_SECL_212818_1
3. LOA & LOI No: SECL/GA/E&M/21-22/LOA & LOI/1379 dtd. 18.09.2021.
4. Work order No: SECL/GA/SO(E&M)/21-22/WO/180 dtd. 07.10.2021
5. Site handover Letter No: SECL/GVR/E&M/21-22/18 dtd. 02.12.2021
6. Letter No: SECL/GVR/E&M/21-22/546 dtd. 04.01.2022.
7. Reminder Letter No: SECL/GA/E&M/20-21/2114 dtd. 07.01.2022
8. Show cause Notice No: SECL/GA/SO(E&M)/21-22/2481 dtd. 18.02.2022.
9. Work order Cancellation Letter No: SECL/GA/E&M/21-22/2771 dtd. 29.03.2022.
10. Competent approval accorded on 08.04.2023 vide e-office computer No: 722141 under note # 40.

Dear sir,

Whereas, a tender was invited from SECL, Gevra Area vide NIT No: SECL/GM/GA/SO(ENM)/E-Tender/21-22/43 dtd. 22.07.2021 for the work of " Cleaning of spillage coal, slush, slurry etc. at various section of R stream Conveyors including 5000 Te Ground Bunker of Back-up, CHP of Gevra Project for a period of 365 days", whereas, you have participated in Tender NIT No: SECL/GM/GA/SO(ENM)/E-Tender/21-22/43 dtd. 22.07.2021 against work as mentioned above. After being Techno-commercially acceptable L-1 bidder Letter of intent vide No: SECL/GA/E&M/21-22/LOA & LOI/1379 dtd. 18.09.2021 was issued in favour of your firm M/s. Ujyara Rural Mart for the work of "Cleaning of spillage coal, slush, slurry etc. at various section of R stream Conveyors including 5000 Te Ground Bunker of Back-up, CHP of Gevra Project for a period of 365 days".

Cond..p/2

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29/04/23

Subject:- Banning/debarring of your firm, **M/s. Ujyara Rural Mart** from being eligible to submit bid in South Eastern Coalfields Limited for a period of 02 (Two) years with immediate effect.

As per condition of contract M/s. Ujyara Rural Mart has deposited the Performance Security deposit of Rs.20,466/-. Subsequent work order was issued in favour of M/s. Ujyara Rural Mart, Hardi Bazar vide Work order reference No: SECL/GA/SO(E&M)/21-22/WO/180 dtd. 07.10.2021.

After issuance of work order, site of the work was handed over to the firm M/s. Ujyara Rural Mart on 02.12.2021 vide letter reference No: SECL/GVR/E&M/21-22/18 dtd. 02.12.2021 and your firm was requested to start the work w.e.f. 17.12.2021. M/s. Ujyara Rural Mart neither commenced the work nor shown any interest towards commencing the work. Again vide letter reference No: SECL/GA/E&M/20-21/2114 dtd. 07.01.2022 M/s. Ujyara Rural Mart was requested to commence the work immediately. Still your firm M/s. Ujyara Rural Mart failed to commence the work. Due to failure on your part to commence the work, SECL, Gevra Area has been compelled to take action on your firm. Act of non-commencement of work by M/s. Ujyara Rural Mart has attracted the action elaborated at Clause – 6.1, 10(b), 10.2(C).

The relevant clauses of condition of contracts is reproduced below for ready reference:-

Clause No: 6.1 of "Condition of Contract"-

"If the contractor, without reasonable cause or valid reasons, commits default in commencing the work within the aforesaid time limit, the company shall, without prejudice to any other right or remedy, be at liberty, by giving 15 days notice in writing to the contractor to commence the work, failing which to 'rescind the letter of acceptance of Tender/Work order'. The bidder will be banned for 02(Two) years for being eligible to submit bids in CIL and its subsidiaries with the approval of Tender Accepting Authority with intimation to all concerned and online blocking of bidder shall be done on receipt of written communication from the Tender Inviting Authority by application admin of CIL e-Procurement Portal".

Clause No: 10 of "Condition of Contract"-

"The Company shall, in addition to other remedial steps to be taken as provided in the conditions of contract be entitled to cancel the contract in full or in part and whether the date of completion has or has not elapsed, by notice in writing if the contractor :-....."

Clause No: 10(b) of "Condition of Contract":-

"Commits default/breach in complying with any of the terms and conditions of the contract and does not remedy it or fails to take effective steps for the remedy to the satisfaction of the Engineer-in-charge, then on the expiry of the period as may be specified by the Engineer-in-charge in a notice in writing".

Clause No: 10.2(C) of "Condition of Contract"-

"On cancellation of the contract or on termination of the contract, the Engineer-in-charge shall have powers:-....."

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29/04/23

Subject:- Banning/debarring of your firm, **M/s. Ujyara Rural Mart** from being eligible to submit bid in South Eastern Coalfields Limited for a period of 02 (Two) years with immediate effect.

After giving notice to the contractor to measure up the work of the contractor and to take such whole or the balance or part thereof, as shall be unexecuted out of his hands and to give it to another contractor or take up departmentally, to complete the work. The contractor whose contract is terminated shall not be allowed to participate in future bidding for period of minimum twelve months.

In such an event, the contractor shall be liable for loss/damage suffered by the employer because of action under this clause and to compensate for this loss or damage, the employer shall be entitled to recover higher of the following:

- i) Forfeiture of security deposit comprising of performance guarantee and retention money, at the disposal of the employer".

In view of the deliberation made as above, SECL, Gevra Area has to cancelled the work awarded to your firm M/s. Ujyara Rural Mart and a fresh tender has to be invited which was subsequently awarded on a value of Rs. 34,000/- (including GST) higher as compared to the work awarded to M/s. Ujyara Rural Mart. Most importantly the Gevra Area has faced a lot of problem in maintaining cleanliness of the plant and thus maintaining dispatched commitment of the Area.

Due to failure on your part to commence the work, as elaborated above, competent authority of SECL, Gevra Area has taken following penal action against your firm M/s. Ujyara Rural Mart, Hardi bazaar:-

- i. Cancellation of work awarded to M/s. Ujyara Rural Mart, Hardi bazaar vide Work order No: SECL/GA/SO(E&M)/21-22/WO/180 dtd. 07.10.2021.
- ii. Forfeiture of deposited of Rs. 20,466/- submitted by M/s. Ujyara Rural Mart, Hardi bazaar.
- iii. Banning of your firm M/s. Ujyara Rural Mart, Hardi bazaar for being eligible to participate in future tender SECL for a period of two years.

A letter bearing No: SECL/GA/E&M/21-22/2771 dtd. 29.03.2022 has already been issued from this office informing you about cancellation of work order and forfeiture of Performance Security Deposit of Rs. 20,466/- as per NIT clause No: 10.2©.(i) of "Condition of Contract".

Now from this letter, it is communicated that your **M/s.Ujyara Rural Mart, Proprietor – LaxmiNarayan Rathore, PAN No. DFIPR7369P, Registered address – Shop No: 82, Near Bus Stand, Amgaon, Hardi Bazar, Distt.- Korba (C.G.), Postal code- 495452** is hereby **banned from being eligible to participate in tender of SECL for a period of two years with immediate effect.**

This is issued with the approval of Competent Authority.

[Signature]
29/04/2023

General Manager/Staff Officer(E&M),
SECL, Gevra Area

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29/04/23

Subject:- Banning/debarring of your firm, **M/s. Ujyara Rural Mart** from being eligible to submit bid in South Eastern Coalfields Limited for a period of 02 (Two) years with immediate effect.

Copy to:

1. TS to DT(O), SECL HQ, Bilaspur – For kind information
2. TS to DT(P&P), SECL HQ, Bilaspur – For kind information
3. GM(Vigilance), SECL, Bilaspur – For kind information
4. General Manager, Gevra Area/ General Manager, Gevra Project
5. General Manager(E&M)/HOD, SECL
6. All the HODs, SECL, Bilaspur.
7. GM(System), SECL, Bilaspur
8. GM(MM)/HOD, SECL, Bilaspur.
9. CGMs / GMs, all Areas SECL including CSKB, CWS Korba, CEWS Gevra & DCC.
10. SO(E&M)/(Excv), all Areas SECL including CSKB, CWS Korba, CEWS Gevra & DCC.
11. Project Engineer(E&M), Gevra Project.
12. Area Finance Manager, Gevra Area.
13. Casefile.

[Signature]
29/04/2023
General Manager/Staff Officer(E&M),
SECL, Gevra Area