

"Under Jurisdiction of Bilaspur High Court Only"

साऊथ ईस्टर्न कोलफील्ड्स लिमिटेड

SOUTH EASTERN COALFIELDS LIMITED

Seepat Road, Bilaspur (C.G.) -495006



कार्यालय क्षेत्रीय महाप्रबंधक, हसदेव क्षेत्र

OFFICE OF THE AREA GENERAL MANAGER,
HASDEO AREA

PO : South Jhagrakhand Colliery

Distt : Manendragarh-Chirmiri-Bharatpur (CG) 497448

"A MINI RATNA COMPANY"

No. :-SECL/AGM/HSD/SO(E&M)/2024-25/ 748

Date :- 18/06/2024

To,
M/s Vikas Singh Yadav
Main Market, Ward No 09, North Jkd,
Chindi Dafai,
North Jhagrakhand Colliery
Distt: MCB (CG), 497446
Email: vikaskingsinghmit@gmail.com

PAN No. ALMPY5832F
Proprietor – Shri Vikas Singh Yadav

Subject: Banning of Proprietorship firm, M/s Vikas Singh Yadav, North Jhagrakhand Colliery, MCB from being eligible to submit bid in tenders of South Eastern Coalfields Limited for a period of 01 (one) year with immediate effect.

- Ref: 1. GEMC – 511687709114800 dated 17.02.2024
2. LOI No. SECL/AGM/HSD/SO(E&M)/LOI/96 dated 17.02.2024
3. Your Letter no. VRL_24_10 dated 21.02.2024
4. Final Show Cause Notice: SECL/AGM/HSD/SO(E&M)/23-24/641 dated 22.03.2024
5. Competent approval accorded on 04.06.2024 vide e-office computer no. 1055360

Dear Sir,

An open tender was invited on GeM portal by SECL, Hasdeo Area vide GeM bid no. GEM/2023/B/ 4055813 dated 08.10.2023 for work of "Hiring of 01 no Bus of 48 to 52 seater capacity on rental basis for a period of 03 years 36 months 1096 days for day to day movement of CISF personnel in Hasdeo Area with 24 hours operation 03 shifts per day with total run of 6000 kms per month".

In the subject tender, your firm M/s Vikas Singh Yadav, North Jhagrakhand Colliery, MCB participated and after opening of price bid you emerged as L-1 bidder. You were awarded the contract vide above referred GeM contract and subsequent Letter of Intent was issued on dated 17.02.2024. After issuing of LOI, the office of undersigned received your letter vide no. VRL_24_10 dated 21.02.2024 stating " Bid was floated on GeM by 8th October 2023 last year and bid has been awarded after 3.5 months on 2024, Sir I was quoted the price below on last year based on 2023 pricing of buses but in 2024 buses prices has been increased 10-15% (with this letter for your kind reference) and now buses has been too much costly compares my quoted value for last year and this price I am not able to provide the bus as per last year pricing. Dear Sir, whatever is the fact I have clearly mentioned here and I am transparently provided the information about the situation, Sir I am requesting you kindly cancel this contract because sir in this pricing I am not able to work in 2024."

To render the natural justice, a show cause note was served to your firm from the office of the undersigned vide letter no. SECL/AGM/HSD/SO(E&M)/LOI/96 dated 17.02.2024 dated 22.03.2024 but the show cause notice remained un-responded from your end within the specified time limit.

The withdrawal of bid has violated the following conditions of NIT and has attracted the following penal actions:

As per following clauses of ATC and NIT:

Clause no. 25 of NIT:

“Letter of Acceptance (LOA)/Work Order/Agreement: The Bidder, whose Bid has been accepted, will be notified /communicated electronically online on the GeM portal. Failure to enter into the required contract within the specified period as per GeM provision shall entail cancellation of award of work and forfeiture of the Earnest Money. The bidder(s) will be banned for 01 (one) year for being eligible to submit bids in CIL and its subsidiaries.”

As per Clause 4.2 of GTC:

“In case the successful bidder fails to submit the Performance Security and Additional Performance Security, if any, within the stipulated time then the award of work shall be cancelled with forfeiture of the bid security/earnest money. Additionally, the company shall ban such defaulting contractor from participating in future tenders in concerned Subsidiary/CIL HQ for a period of minimum one year from the date of issue of such letter.”

As per clause 4.5 of GTC:

“Additional performance security (APS) shall be furnished within 21 days of issuance of LOA by the successful bidder. Work shall commence only after submission of Performance Security and Additional Performance Security, if any. Failure to submit such additional performance security shall result into cancellation of the contract with forfeiture of earnest money. Additionally, the company shall debar such defaulting contractor from participating in future tenders in concerned Subsidiary/CIL HQ for a period of minimum one year from the date of issue of such letter. In case of JV/Partnership firm, the debarment shall also be applicable to all individual partners of JV/Partnership firm.”

As per ATC clause 1(ii) for Guidelines of Banning of business:

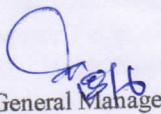
“If L-1 bidder fails to submit PSD and APSD (if applicable), if any and/or fails to execute the contract within stipulated period.”

The backout of L-1 bidder from the bid after award of contract has resulted into cancellation of tender and has led to delay in finalizing of contract, Failure of tender, Increase in financial impact due to delay, Delay in availing services. Consequent upon backout from the tender after award of work and non-submission of PSD and APSD by L-1 bidder and non-responsiveness against the show cause notice, SECL management decided to take action of debaring of your firm from being eligible to participate in future tender of SECL for a period of one year.

Accordingly, the Competent Authority, decided to impose penalty of Banning of the firm M/s Vikas Singh Yadav, North Jhagrakhand Colliery, MCB from being eligible to participate in the future tenders of SECL for a period of 01(one) year from the date of issue of this order.

Now from this letter the proprietorship firm M/s Vikas Singh Yadav with registered address - Main Market, Ward No 09, North Jkd , Chindi Dafai, North Jhagrakhand Colliery, Distt: MCB (CG), 497446, **Proprietor** – Shri Vikas Singh Yadav, **PAN No.** ALMPY5832F is hereby debarred from being eligible to participate in future tenders of SECL for a period of 01 (one) year with immediate effect.

This issue with the approval of competent Authority.


Area General Manager
Hasdeo Area

CC:

1. TS to CMD, SECL HQ, Bilaspur – for kind information
2. TS to DT(O), SECL HQ, Bilaspur-for kind information
3. GM(Vigilance), SECL HQ, Bilaspur-for kind information
4. GM(E&M)/HOD, SECL HQ, Bilaspur
5. GM(CMC)/ SECL HQ, Bilaspur
6. GM(Finance)/ SECL HQ, Bilaspur
7. All the HODs, SECL, Bilaspur
8. GM(System), SECL, Bilaspur
9. GM(MM)/HOD, SECL, Bilaspur
10. Area General Manager, all Areas SECL including CS,Korba, CWS Korba, CEWS Gevra & DCC
11. All HoDs, Hasdeo Area
12. Staff Office(E&M)- All Areas of SECL
13. Case file