भारत कोकिंग कोल लिमिटेड
(एक मिनी रत्न कंपनी)
(कोल इण्डिया लिमिटेड की सहायक कंपनी)
कॉ०प०सं० U10101JH1972GOI000918
संविदा प्रबंधन प्रकोष्ठ
पंजीकृत कार्यालय:
कोयला भवन, कोयला नगर, धनबाद – ८२६००५, झारखण्ड
टेलीफोन/फैक्स – ०३२६-२२३०२०६
वेबसाईट:www.bcclweb.in
ई०मेल - gmcmc.bccl@coalindia.in

BHARAT COKING COAL LTD.
(A Mini Ratna Company)
(A Subsidiary of Coal India Ltd.)
CIN U10101JH1972GOI000918
Contract Management Cell
Registered Office:
Koyla Bhawan,Koyla Nagar, Dhanbad – 826005, Jharkhand
Telephone/Fax – 0326-2230206
Website : www.bcclweb.in
E. mail -gmcmc.bccl@coalindia.in

Ref. No. BCCL/CMC/2018/564 Date:-31.08.2018

To
M/s. Vishwa Bharati Engineers Pvt Ltd –JV
# 307, Challa Pride, 7-2-1735 & 7-2-1813/5/A,
Czech Colony, Sanathnagar,
Hyderabad- 500018.

Phone: 9394133786
Fax : 04023800283
Mail : cipel2012@gmail.com

**Sub: Banning of Business**

**Ref:** **1.** e-Tender Notice No.-H-HEMM-10; NIT No.: BCCL/CMC/e-Tender/F-HEMM-OS/2017/488 Date: 02.12.2017 with Tender ID No.: 2017_BCCL_88091_1

**2.** e-Tender Notice No.-H-HEMM-11; NIT No.: BCCL/CMC/e-Tender/F-HEMM-OS/2017/492 Date: 04.12.2017 with Tender ID: 2017_BCCL_87889_1

**Dear Sir,**

An e-tender notice was floated vide reference number as mentioned above at sl. no. '1'. M/s. Vishwa Bharati Engineers Pvt. Ltd-JV (Bidder) submitted its bid. During verification of documents/credentials submitted by the said JV, it has been observed that form no. 16A in respect of the FY 2011-12, 2012-13 & FY 13-14 as submitted by the bidder along with the experience certificate vide ref. no. Nil dated 22.01.2014 issued by Vice President (Projects), M/s SR Irrigation Pvt. Ltd, are bogus or forged, because no company named M/s SR Irrigation Pvt. Ltd. exists in the database of Income Tax Department. Further, it has been observed that M/s CIPEL (one of the constituent of M/s Vishwa Bharati Engineers Pvt. Ltd.-JV), has tampered the original ITR and submitted during bidding in the instant tender, which is serious crime.

Same irregularities have also been observed while verification of documents submitted by said JV (Bidder) in the e-tender notice as referred at sl. no.'2' above. It clearly indicates that the said bidder is in the habit of submitting forged & manipulated documents to qualify the eligibility criteria and enter into the contract.

The above mentioned irregularities attracts action as per clause '7(iv)' and clause '8', "Subchapter-6.16 of Chapter-6 CMM: HIRING OF EQUIPMENT FOR REMOVAL OF OVERBURDEN AND EXTRACTION OF COAL" which reads as below:

**Quote**...

*7.0 BANNING OF BUSINESS*

*Banning of business should be considered in the following cases:*

..... ....

*iv) Willful suppression of facts or furnishing or wrong information or manipulation or forged documents by the agency or using any other illegal affair/means.*

..... ...

*8.0 PERIOD OF BANNING*

*8.1 The period should be minimum of three years and should be decided based on the gravity of the offence and the quantum of loss suffered by CIL or the Subsidiary Company.*

.....**Unquote**

In this regard attention is invited towards the following provisions/undertakings as per NIT/Tender documents:

(A) Clause 8.6 of NIT regarding "Submission of Bid"

**Quote.....**

*"**8.6** If any information/declaration furnished online by the bidder against eligibility criteria is found to be wrong at any stage which changes the eligibility status of the bidder penal action as mentioned in Annexure-C will be applicable.*

**.....Unquote**

(B) Clause 20.7 of "Instructions to Bidders"

**Quote.....**

*"**20.7** In case the L1 bidder fails to submit requisite documents online as per NIT or if any of the information/declaration furnished by L1 bidder online is found to be wrong during evaluation of scanned documents uploaded by bidder, which changes the eligibility status of the bidder, then his bid shall be rejected and EMD of L1 bidder will be forfeited."*

**.....Unquote**

(C) Clause 20.14 of "Instructions to Bidders"

**Quote…..**

"***20.14*** *The following penalty shall be imposed on the defaulting bidders:*

| *Sl.No* | *Situation* | *Penal Provisions* |
|---|---|---|
| *(i)* | *L-1 bidder is a defaulter* | *100% of EMD is forfeited.* |

**…..Unquote**

(D) Clause 8 of "Annexure-C"

**Quote……**

*"8. If any information and document submitted is found to be false/ incorrect at any time, department may cancel my/our Bid and action as deemed fit may be taken against me/us, including termination of the contract, forfeiture of all dues including Earnest Money and banning/ delisting of our firm and all partners of the firm etc."*

**…..Unquote**

It is to note that Annexure-C is the undertaking submitted by the bidder vide which the JV as a bidder and the constituent partners of the JV are liable for banning as mentioned above.

The above mentioned irregularities on your part was viewed very seriously by the management. Accordingly, a Show Cause notice was issued vide BCCL/CMC/2018/508 dated 02.08.2018 and was asked to submit reply within 21 days of issue of said notice. A reminder was also served vide ref. no. BCCL/CMC/2018/540 dated 20.08.2018. But, you failed to submit any reply and it shows that you have nothing to say in your defense.

In view of above, the competent authority of BCCL has decided to impose banning of all business dealings with BCCL on M/s. Vishwa Bharati Engineers Pvt Ltd –JV and the constituent members of JV (M/s. Vishwa Bharati Engineers Pvt Ltd and M/s. CIPEL) for submission of manipulated and forged documents, as per above mentioned provisions of NIT/Tender documents/CMM and also accepted by the said JV through "LETTER OF BID", besides forfeiture of EMD.

Accordingly, all business dealings with M/s. Vishwa Bharati Engineers Pvt Ltd –JV and the constituent members of JV (M/s. Vishwa Bharati Engineers Pvt Ltd and M/s. CIPEL), in individual capacity or as Joint Venture, are hereby banned in BCCL for a period of three years from the date of issue of this order and also EMD submitted by you in the above mentioned bids are forfeited.

This issues with the approval of competent authority.

Yours faithfully

31/8/18

GM (CMC), BCCL

CC to:

1. M/s. Vishwa Bharti Engineers Pvt. Ltd.,
   Flat no. 204, Shivam Block,
   Rama Raju Nagar, Jeedimetla.
   Secunderabad- 500055.
   Telangana
2. M/s. CIPEL
   # 307, Challa Pride, 7-2-1735 &
   7-2-1813/5/A, Czech Colony,
   Sanathnagar, Hyderabad
   500018

You are also debarred from participating in future bids in all tenders of BCCL for a Period of three years from the date of issue of this order.

Copy:

1. CMD/D(F)/D(T) Op./D(T) P&P BCCL for kind information
2. CVO BCCL for kind information
3. GM(CMC), CIL, Kolkata
4. GM(CMC) ECL/CCL/SECL/WCL/MCL/NCL/NEC
5. All HODs, BCCL HQ
6. All Area GMs of BCCL
7. GM(System)- for uploading on BCCL Website
8. Office Copy

31/8/18

GM (CMC), BCCL