

भारत कोकिंग कोल लिमिटेड
(एक मिनी रत्न कंपनी)
(कोल इण्डिया लिमिटेड की सहायक कंपनी)
कां०प०स० U10101JH1972GOI000918
संविदा प्रबंधन प्रकोष्ठ
पंजीकृत कार्यालय: कोयला भवन,
कोयला नगर, धनबाद - ८२६००५, झारखण्ड
टेलीफोन/फैक्स - ०३२६-२२३०२०६
वेबसाइट : 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
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Ref. No. BCCL/CMC/Tptn44/ Debar /ME/2022/237

Date: 17.05.2022

To

E-mail/Speed Post

M/s Mahavir Enterprises
Bapu Nagar, Karmik Nagar
Saraidhela,
Dhanbad, Jharkhand
Pin- 826004

Email: arbindsharma1999@gmail.com
mehtopljv@gmail.com
Mobile: 8877198399

Sub: Debar from Participating in future bids of BCCL, in individual capacity or as a Joint Venture, for a period of 2 (Two) years.

Ref: 1. e-Tender Notice No.-TPTN-44;
2. Tender ID No.: 2021_BCCL_212278_1
3. NIT No.: BCCL/CMC/NIT/TPTN44/Bastacolla/2021/277, Date: 19.07.2021
4. Name of the work: "Transportation of Coal from different sources of Bastacolla Area to different sidings including crushing, tipper loading and wagon loading and other allied jobs"

Dear Sir,

An e-tender notice was floated vide reference numbers as mentioned above. M/s ME-HTOPL JV had participated in the tender. M/s Mahavir Enterprises (You) are a member of M/s ME-HTOPL JV. Technical Bid (Part-I) of the tender under reference was opened on 09.08.2021.

Along with other participating bidders, documents uploaded by M/s ME-HTOPL JV on the tendering portal were downloaded for techno commercial evaluation as per provisions of NIT/TD.

During the technical evaluation of the documents, a letter of M/s ME-HTOPL (JV) (vide ref no. ME-HTOPL (JV)/bastacolla TPTN/21-22/11, Date:- 29.10.2021 was received in the official email-ID of GM (CMC) on 29.10.2021 and also vide diary no. 1937, 29.10.2021, requesting for withdrawal of bid in the subject tender. The same has also been confirmed by M/s ME-HTOPL JV vide ref no. ME-HTOPL (JV)/Bastacolla TPTN/21-22/12, Date:- 03.11.2021, on being asked by BCCL vide ref no: BCCL/CMC/TPTN44/2021/501, Date: 01.11.2021.

Withdrawing the bid as above would attract actions as per clause 12 of NIT, clause 14.5 of 'Instruction to Bidders' of Tender Document. Clause 12 of NIT and clause 14.5 of 'Instruction to Bidders' of Tender Document is reproduced below:-

Quote...

12. Modification and Withdrawal of Bid:

Modification of the submitted bid shall be allowed on-line only before the deadline of submission of tender and the bidder may modify and resubmit the bid on-line as many times as he may wish.

Bidders may withdraw their bids online within the end date of bid submission. However, if the bidder once withdraws his bid, he will not be able to resubmit the bid in that particular tender. For withdrawal of bid after the end date of bid submission, the bidder will have to make a request in writing to the Tender Inviting Authority. Withdrawal of bid may be allowed till issue of work order/LOA with the following provision of penal action:

a). If the request of withdrawal is received before online notification for opening of price bid, the bidder will be banned for two years from being eligible to submit bids in CIL and its subsidiaries. This banning shall be done under the provisions of NIT with the approval of Tender Accepting Authority by Application Admin of CIL e-Procurement Portal. The Price-bid of remaining bidders will be opened and the tender process shall go on.

...Unquote

Clause 14.5 of 'Instruction to Bidders' of Tender Document is reproduced below:-

Quote...

14.5 The bidder will be banned for minimum two years from being eligible to submit bids in CIL and its subsidiaries:

- a. if the Bidder withdraws the Bid after the end date of Bid submission during the period of Bid validity / extended validity with mutual consent; or
- b. in the case of a successful Bidder, if the Bidder fails within the specified time limit to:
 - i. Sign the Agreement; or
 - ii. Furnish the required Performance Security/ Security Deposit; or
 - iii. If the L-1 bidder does not accept the rate quoted by him.

...Unquote

Further, as per the clause 5 "Joint and Several Liabilities" of Annexure-L (JV Agreement) quoted below, you are also liable jointly and severally during the pre-qualification and bidding process:-

Quote...

All partner of Joint Venture /Consortium shall be liable jointly and severally during the Pre-qualification and Bidding process....

....Unquote

A Show Cause notice vide ref. no. BCCL/CMC/Tptn44/show_cause/ME/2022/92, Date: 22.02.2022 was issued to you requesting therein to submit reply within 21 days of date of issue of the Show Cause Notice.


Despite service of the Show Cause Notice you have chosen not to respond to the same within the prescribed time limit of 21 days or even thereafter. Hence, it is presumed that you have nothing to say in your defense and the allegations levelled in the show cause notice are admitted.

Thus in view of the seriousness and gravity of the acts on your part as a constituent partner of bidder (M/s ME-HTOPL JV), the competent authority of Bharat Coking Coal Limited has approved for debarring M/s Mahavir Enterprises from participating in future bids, in all tenders, of BCCL for a period of 2 (Two) years.

Accordingly, M/s Mahavir Enterprises is hereby debarred from participating in future bids, in all tenders, of BCCL, in individual capacity or as a Joint Venture, for a period of 2 (Two) years from the date of issue of this order.

This issues with the approval of competent authority.

Sincerely


17/5/22
GM (CMC), BCCL