


<p>सेंट्रल कोल्फील्ड्स लिमिटेड (कोल इंडिया की अनुषांगी, एक मिनी रत्न कम्पनी) (भारत सरकार का उपक्रम) असैनिक विभाग पंजीकृत कार्यालय : दरभंगा हाउस, राँची- झारखंड -834029 वेबसाइट: http://www.centralcoalfields.in CIN No: U10200JH1956GOI000581 ईमेल- : gmcivilclranchi@gmail.com : gmcivil.ccl@coalindia.in</p>	 	<p>CENTRAL COALFIELDS LIMITED (A Miniratna Subsidiary Company of Coal India Limited)(Govt. of India Undertaking) Civil Engineering Department Reg. Office: Darbhanga House, Ranchi Jharkhand -834029, Website http://www.centralcoalfields.in CIN No: U10200JH1956GOI000581 E-mail: gmcivilclranchi@gmail.com : gmcivil.ccl@coalindia.in</p>
<p>संदर्भ : सीसीएल/जीएम(सी)/2023-24/ 317</p>		<p>दिनांक - 27/09/2023</p>

To,

1. Shankra Construction,
Flat No-5, 3rd Floor, Jaynti Nawal,
Niwas, Patliputra, Patna-800013, Bihar
Email id. constmookambika@gmail.com
Mobile No. 7479451076
2. Bikash Singh (Partner of M/s Shankra Construction),
Flat No.-204, Prarthana Niwas,
Mahesh Nagar, Patna-800024, Bihar.
Email id. constmookambika@gmail.com
3. Shuchi Kumari (Partner of M/s Shankra Construction),
Flat No.-204, Prarthana Niwas,
Mahesh Nagar, Patna-800024, Bihar.
Email id. constmookambika@gmail.com

Registered post with A/D

By email: constmookambika@gmail.com

Subject:- Banning of Business of M/s Shankra Construction along with its partners from participating in future tenders of CCL for a period of 03 (three) years.

Ref. Nos.:- I. Name of the Works- Construction of PQC roads connecting weighbridges no. 6, 7, 9, 13, 15, 16, 18 to coal transportation roads under Magadh OCP, M-S Area and Construction of PQC road from Masilong to Develgada under Magadh OCP of Magadh-Sanghmitra Area".
II. NIT No. e-Tender Notice No. 19 of 2022- 23 vide no. GM(C)/Tender/2022-23/566 Dated 21.11.2022 & e-Tender Notice No. 14 of 2022- 23 vide no. GM(C)/Tender/2022-23/541 Dated 17.11.2022 respectively.
III. Tender ID: 2022_CCL_262974_1 & 2022_CCL_262595_1 respectively.
IV. Show Cause Notice ref No: CCL/GM(C)/M&S/2023-24/109, CCL/GM(C)/M&S/2023-24/110, CCL/GM(C)/M&S/2023-24/111, CCL/GM(C)/M&S/2023-24/112, CCL/GM(C)/M&S/2023-24/113, CCL/GM(C)/M&S/2023-24/114 dated 11.05.2023.

Dear Sir,

In reference to the above mentioned matter this is to inform you the following:-

- 1) Whereas you had submitted Bids for the above-mentioned two works and after opening of tenders, M/s Shankra Construction emerged as the L1 bidder and subsequently both works were awarded vide Work order Nos. GM(C)/M&S/2022-23/827 dated 04/03/2023 & GM(C)/M&S/2022-23/817 dated 28/02/2023 respectively.

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- 2) Whereas, You had submitted a letter vide ref: nil, dated 31/03/2023 attaching the two numbers original ICICI Bank Fixed Deposit of an amount of Rs.61,34,507.00 receipt S.N. 11744134, bearing A/c no 090210000347 dated 29.03.2023 and of an amount of Rs. 1,30,45,222.00 receipt S.N. 11744133, bearing A/c no 090210000348 dated 29.03.2023, both pledged in favor of CCL against the Performance Security Deposit (PSD) and Additional Performance Security Deposit (APSD) respectively as per clause no 3 & 4 of award of work ref No. GM(C)/M&S/2022-23/827 dated 04/03/2023 and Clause no. 4.2 & 4.8 of Conditions of Contract of NIT.
- 3) Whereas, You had submitted a letter -vide ref: nil, dated 31/03/2023 attaching the two numbers original ICICI Bank Fixed Deposit of an amount of Rs.49,78,553.00 receipt S.N. 11744138, bearing A/c no 090210000345 dated 29.03.2023 and of an amount of Rs. 1,13,31,611.00 receipt S.N. 11744137, bearing A/c no 090210000346 dated 29.03.2023, both pledged in favor of CCL against the Performance Security Deposit (PSD) and Additional Performance Security Deposit (APSD) respectively as per clause no 3 & 4 of award of work ref No. GM(C)/M&S/2022-23/817 dated 28/02/2023 and Clause no. 4.2 & 4.8 of Conditions of Contract of NIT.
- 4) Whereas, on getting verification of the above referred FDRs mentioned at point (2) & (3) above, the bank denied the issuance of such FDRs mentioning the fact that the above 04 FDRs are not issued by ICICI branch and these are already closed and these four FDs account number has been issued to other customer and not to M/S Shankara Construction.
- 5) Whereas, for violation of the relevant para of clause no 3 & 4 of award of work vide ref. no. GM(C)/M&S/2022-23/827 dated 04/03/2023 & GM(C)/M&S/2022-23/817 dated 28/02/2023 and Clause no. 4.2 & 4.8 of Conditions of Contract of both subject NITs, following penal measure were imposed earlier:
 - i. Cancellation of both Award of Works issued vide work order ref. no GM(C)/M&S/2022-23/827 dated 04/03/2023 & GM(C)/M&S/2022-23/817 dated 28/02/2023 respectively.
 - ii. Forfeiture of EMDs amounting to Rs. 19,96,200/- & Rs 16,31,000/- deposited online.
 - iii. debarment to submit your bid in the re-tender of subject works.
- 6) Whereas, Show cause Notices with above referred Ref Nos. were issued and as per Notices you were requested to submit your explanations, if any, within 07 days on issue of communication, on why penal action at para 7 of Show cause Notices shall not be taken against you.
- 7) Whereas, replies were received to the Show Cause notices through email from M/s Shankara Construction and its partners, Bikash Singh and Shuchi Kumari on 17.03.2023.
- 8) Whereas, Four Original FDRs duly pledged in favour of CCL were received at dispatch section of Civil Engineering department office along with a letter dated 31/03/2023 (ref: nil) signed by one of the partner of M/s Shankra Construction, Bikash Singh. Hence replies to Show Cause Notices are not acceptable.
- 9) Whereas, it was construed that you had failed to deposit the requisite PSDs and APSDs as per clause no 3 & 4 of award of work vide ref. no GM(C)/M&S/2022-23/827 dated 04/03/2023 & GM(C)/M&S/2022-23/817 dated 28/02/2023 respectively and Clause no. 4.2 & 4.8 of Conditions of Contract of both subject NITs.
- 10) Whereas, it was observed that M/s Shankra Construction had submitted forged FDRs as Performance Security & Additional Performance Security Deposits after award of two subject tender works.
- 11) Whereas, as per subject NITs, following points are to be noted:-
 - i. Annexure I unconditionally accepted by you during bid submission, mentions that " I /We am/are pleased to submit our bid for the above work. I/We hereby unconditionally accept the bid conditions

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and bid documents in its entirety for the above work and agree to abide by and fulfil all terms and conditions and specifications as contained in the bid document".

- ii. Undertaking as per Annexure II unconditionally accepted by you during bid submission mentions that " 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 of our firm and all partners of the firm etc . "
- iii. In annexure XVIII submitted during Bid submission, you undertake that " 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 of our firm and all partners of the firm etc."
- iv. Also, as per **e-Tender Portal User Agreement** accepted by you during bid submission:-

Quote

I DO HEREBY UNDERTAKE

That all the information being submitted by me/us is genuine, authentic, true and valid on the date of submission of tender and if any information is found to be false at any stage of tendering or contract period, I/We will be liable to the following penal actions apart from other penal actions prescribed elsewhere in the tender document .

- a. Cancellation of my/our bid/contract (as the case may be)
- b. Forfeiture of EMD
- c. Punitive action as per tender document

Unquote

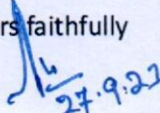
12) Whereas, as per clause 19 of GTC of subject NITs w.r.t guidelines for Banning of Business, the contracting entity may be banned in the following circumstances:-

- a. "ii. If L-1 bidder fails to submit PSD, if any and/or fails to execute the contract within stipulated period".
- b. "vi. Willful suppression of facts or furnishing or wrong information or manipulated or forged documents by the Agency or using any other illegal/unfair means".

Considering all the above points, it is hereby informed that, in view of failure to submit PSDs & APSDs within stipulated timeline and submission of *forged FDRs as PSDs & APSDs*, the following action is taken against you: Banning of M/s *Shankra Construction* (PAN No. ABHFS0211K) along with its Partners i.e. Bikash Singh and Shuchi Kumari from participating in future tenders of CCL for a period of 3 (three) years from the date of issue of this letter order.

This issues with the approval of competent authority.

Yours faithfully


27.9.21
GM/HoD(Civil)
CCL,Ranchi

Copy to:-

1. Chief Vigilance Officer-CIL, Coal Bhawan, Premise no. 04 MAR Plot no.AF-III,
Action Area-1A, Newtown, Rajarhat, Kolkata-700156.
2. CVO, CCL, Ranchi.
3. TS to CMD, CCL, Ranchi.
4. TS to D(P),CCL, Ranchi.
5. TS to DT(O),CCL , Ranchi.
6. TS to DT(P&P), CCL, Ranchi.
7. TS to D(F), CCL, Ranchi.
8. GM(C)/HOD (welfare & services), CCL, Ranchi.
9. GM(C)/HOD, All subsidiaries of CIL -CIL, BCCL, CMPDIL, ECL, MCL, NCL, SECL,
WCL, Coal India Africana Limited.
10. All HODs of respective Departments – CCL HQ., Ranchi.
11. GM(MM), CCL, HQ., Ranchi: - With a request to ban the bidder in CIL tender portal.
12. GM (System), CCL, HQ., Ranchi- with a request to publish in the CCL website
13. Area GMs of All Areas - Argada, Barka-Sayal, B&K, CWS Barkakana, Dhori, Giridih,
Hazariabgh, Kuju, Kathara, M&S, A&C, Piparwar, NK,
Rajrappa, Rajhara, MRS, CH Ramgarh .
14. Area SO(C)s of All Areas - Argada, Barka-Sayal, B&K, CWS Barkakana, Dhori, Giridih,
Hazariabgh, Kuju, Kathara, M&S, A&C, Piparwar, NK,
Rajrappa, Rajhara, MRS, CH Ramgarh.