

## South Eastern Coalfields Limited

साउथ ईस्टर्न कोलफील्ड्स लिमिटेड

(A Mini Ratna Company)

Contract Management Cell ; संविदा प्रबंधन पण्ड

प/ Registered Office (CIN:U10102CT1985GOI003161)

SECL Bhawan, Seepat Road, Bilaspur -495006 (Chhattisgarh).

पोस्ट: एस.ई.सी.एल., सीपत रोड, बिलासपुर 495006

STD: 07752  
Phone: 246328  
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Website:  
[www.secl.nic.in](http://www.secl.nic.in) ;  
e-mail  
[gmcml.secl@coalindia.in](mailto:gmcml.secl@coalindia.in)

Ref. No. SECL/BSP/CMC/Banning/ 1197

Date: 5/11/21

To

The GM (MM)/ Nodal Officer,  
e-Procurement Cell  
CIL, Kolkata.  
(e-mail: [rkpatra.cil@coalindia.in](mailto:rkpatra.cil@coalindia.in))

**Sub:** Banning/ Debarring of M/s. Rana G Power Co., Rewa for the work of Verticle Ripper or other suitable strata cutter machine to be used as Primary Extraction Machine for blast-less excavation in all kinds of Strata/ OB/ in seam bands and its associated works at Dipka Expansion Project – Dipka Area.

- Ref:** 1. NIT No. SECL/BSP/CMC/e-Tender/450 dated 13.05.2021  
2. Tender ID : 2021\_secl\_206048\_1  
3. LOI No. SECL/BSP/CMC/1050 dated 24.08.2021.

Dear Sir,

In reference to above, this is to inform you that;

1. M/s Rana G Power Co. (Address: House No. 2752/02, Samanbandh, Behind Life Shepherd School, Ward No. 15, Rhsil : Hujur Nagar, City: Rewa, Madhya Pradesh Pin: 4860001) has participated in tender for the aforementioned work vide referred NIT in the name and style of Joint Venture with details of JV Partners as given below in tabular format :

Sl No. (1)	JV Partners Name (2)	PAN No. (3)
1	Shree Ranjit Kumar M/s. Ranavir Projects (Lead Partner)	AATFR1017R
2	Shri Satish Singh Tiwari, Partner of M/s. Goldmine Power Infrastructure Industries (Other Partner)	AAMFG6040L

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2. **M/s Rana G Power Co** alongwith partners of the firm have been **banned/ debarred** from participating in future tender of **SECL & other Subsidiaries of CIL**, for a period of **02 (Two) years** effective from the date of issue of letter i.e. on **03.11.2021**, issued by General Manager, Dipka Area vide Ref No. SECL/GM/DA/Seectt/2021/1764 dated **03.11.2021**, photocopy of which is attached for ready reference.
3. The relevant content of the Provisions of e-Procurement guidelines in **Clause No. 16**, titled as '**Guidelines for Banning of business**' is reproduced below:

**Quote:**

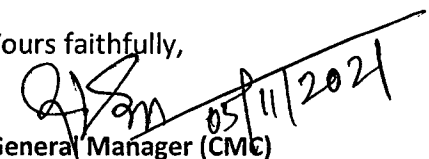
All the orders of banning or orders passed in appeal shall be marked to GM(CMC)/ Civil/ concerned HoDs of CIL/Subsidiary Company. Further, all such orders will be uploaded in Coal India site as well website of the Subsidiary Company.

**Unquote:**

In view of the above, a copy of letter **No.1964 dated 03.11.2021** is being forwarded to you for further needful action at your end, i.e. for blocking the Digital Signature Certificate (DSC) of both the Constituent Partners of the firm.

Encl: As above.

Yours faithfully,

  
General Manager (CMC)  
SECL, Bilaspur.

**Copy to (Through respective e-Mail Ids):**

1. GM (CMC) CIL
2. GM (Systems), CIL – **with a request to upload the Banning of business of the firm in website of CIL**
3. TS to CMD, SECL
4. TS to Director (Technical) Operations
5. TS to Director (Technical)/ P&P
6. TS to Director (Finance)
7. TS to CVO, SECL
8. GM (Systems)/HoD SECL – **with a request to upload the Banning of business of the firm in website of SECL**
9. All Heads of Departments, SECL Hdqrs.
10. All Area General Managers, SECL.
11. GM(CMC), All Subsidiaries
12. All Chief Nodal Officers, CMC SECL HQ.



South Eastern Coalfields Limited  
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Office of the General Manager  
DIPKA AREA, KORBA  
KORBA (CHHATTISGARH), PIN: 495452.



Office of the  
General Manager  
STD: 07815  
Phone:  
239011/274199(o)  
Fax: 239002(O)

Ref.No. SECL:GM:DA:SECTT:2021: 1764

Date: 03/11/2021

**CANCELLATION/DEBARRING/PENAL ACTION**

To

M/s Rana G Power Co.

House No.2752/02, Samanbamdh

Behind Life Shepherd School, Ward no.15

Teh. Hujur Nagar, City: Rewa-486001, MP

Email Id: [ranagpowerco@gmail.com](mailto:ranagpowerco@gmail.com)

Subject: Communication of decision of competent authority in Cancellation/Debaring/ Penal Action of defaulting contractor M/s Rana G Power Co. House No.2752/02, Samanbamdh Behind Life Shepherd School, Ward no.15 Teh. Hujur Nagar, City: Rewa-486001(MP) along with partners of the firm (1) Shree Satish Singh Tiwari, Partner of M/s Gold Mine Power Infrastructure Industries (2) Shree Ranjeet Kumar of M/s Rana G Projects (from participating in future tender of SECL & other Subsidiaries of CIL for a period of 24 months) for the LOI No. SECL:BSP:CMC:1050 dated 24-08-2021 for the work "Hiring of vertical ripper machine or other suitable strata cutter machine to be used as primary extraction machine for blast less excavation in all kind of strata/ overburden / in seam bands on per cum basis and hiring of HEMM for excavation, mechanical loading, mechanical transportation, unloading, the excavation material and silt, dumping, dozing, scrapping, preparation and maintenance of Haul Road, water sprinkling and spreading of material and other allied activities at the site shown in the plan and as per the directives of Management/engineer in charge of the Dipka Expansion Project for a total quantity of 153,01,614 cum in 730 days @20,961 cum/day" at Dipka OC Tehsil: Katghora, Dist: Korba, State: Chhattisgarh, Pin -495452

- Ref:
1. NIT. No. SECL/BSP/CMC/E-Tender/450 dated 13/05/2021
  2. Tender Id No. 2021\_SECL\_206048\_1
  - 3 LOI No. SECL:BSP:CMC:1050 dated 24-08-2021
  4. RELEVANT CORRESPONDENCES/REMINDER LETTER
  5. Show Cause Notice no. SECL:GM:DA:SO(Mining):2021: 596
  6. Contractors reply to show cause via mail dated 22 Oct 2021

Date: 18-10-2021

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Dear sir,

WHEREAS the SECL Dipka Area was desirous of execution of the subject work and accordingly NIT. No. SECL/BSP/CMC/E-Tender/450 dated 13/05/2021

AND WHEREAS in response to the above tender notice you submitted your offer, which was accepted by the competent authority.

AND WHEREAS in response to acceptance of your offer Letter of Acceptance was issued to you vide LOI No. SECL:BSP:CMC:1050 dated 24-08-2021

AND WHEREAS as per the Clause no 4.2(b) of GTC of the NIT/Bid Document, You were required to submit performance security within 21 days of issuance of LOI.

AND WHEREAS following letters were issued to you for deposition of PSD and to commence the work.

1. Vide letter No. SECL:GM:DA:SO(Mining)2021:528 dated 06-09-2021 by GM, Dipka Area
2. 1<sup>st</sup> reminder letter No. SECL:GM:DA:SO(Mining)2021:528 dated 18-09-2021 by GM(Oprn)/SO(Mining), Dipka Area
3. 2<sup>nd</sup> reminder letter no SECL:GM:DA:SO(Mining)2021:541 dated 24-09-2021 by GM(Oprn)/SO(Mining)
4. 3<sup>rd</sup> reminder letter no SECL:GM:DA:SO(Mining)2021:557 dated 29/09/2021 by GM(Oprn)/SO(Mining), Dipka Area
5. Vide letter No. SECL:DA:SO(M):2021: 569 Dated- 07/10/2021 it was instructed to you to submit BG from a scheduled bank as scheduled in the list of RBI on or before 11-10-2021 subject to approval of CIL,COFD.
6. Vide letter no. SECL:DA:SO(M):2021:592 Dated- 14/10/2021 you were intimated that you have not deposited PSD within due date in accordance with the provisions of tender document and your case will be dealt in accordance with the relevant clause of terms and condition of the NIT.

AND WHEREAS you neither commenced the work nor deposited PSD

AND WHEREAS Show Cause Notice vide No. SECL:GM:DA:SO(Mining):2021: 598 Date:18/10/2021 was issued to you for providing a satisfactory explanation/ reply within 7 days of the receipt of Show Cause Notice as to why penal actions as prescribed in the e-tender, should not be taken against you for the violation of the terms & conditions of impugned NIT and E-tender NIT. No. SECL/BSP/CMC/E-Tender/450 dated 13/05/2021. Tender Id No. 2021 SECL 206048

AND WHEREAS in response to all the letters issued to you including the show cause notice No 596 date 18/10/2021, your reply is not satisfactory & not in consonance with the terms & Condition of NIT.

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AND WHEREAS Vide letter no. SECL/DA/SG(M):2021:592 Dated- 14/10/2021 you were informed that management has no option except to process for cancellation along with penalties which includes.

1. Cancellation of LOI No:SECL/BSP/CMC:1050 dated:24-08-2021
2. Banning the contractor M/s Rana G Power Co (along with partners of the firm (1) Shree Satish Singh Tiwari, Partner of M/s Gold Mine Power Infrastructure Industries (2) Shree Ranjeet Kumar of M/s Ranavir Projects ) for a period of 24 months from participation in any future tender in SECL and subsidiaries of CIL.
3. To impose and recover penalties , as applicable from M/s Rana G Power Coas per the provision of NIT & CMM

In view of the above, it is clear that you have failed to fulfill the contractual obligation in accordance with NIT/Contract Conditions.

The clause no.4.2(h) & 9:2(ii), of the NIT/Bid document are quoted below: QUOTE

Clause 4.2(h) of GTC of the tender document stipulates that "In case of successful bidder fails to submit the performance security within the stipulated time then the award of work shall be cancelled with for forfeiture of the bid security/earnest money".

"Additionally the company shall ban such defaulting contractor from participating in future bid in CIL and subsidiaries for a minimum period of 24 months".

"The banning shall be done under the provisions of NIT/e-tender notice with the approval of tender accepting authority".

Clause 9:2(ii) of GTC of the tender document stipulates that " 20% of value of incompleted work shall be calculated for the item and quantities remaining incomplete (as per provision of agreement) at the agreement rate including price variation as applicable on the date when notice is writing for termination of work was issued to the contractor.

It is being clarified that the above liability is over and above the penalties payable by the contractor on account of shortfall in quantities as per provision of clause no. 6

The amount to be recovered from the contractor as determined above shall without prejudice to any other right or remedy available to the to the employer as per law as per agreement , will be recovered from any money due to contractor on any account or under any other contract and in the event of any shortfall the contractor shall be liable to pay the same within 30 days. In case of failure to pay the same the amount shall be debt payable.

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In the event of above course being adopted by the engineer in charge the contractor shall have no claim to compensation for any loss sustained by him by reason of his having purchased material equipments or entered into agreement or made advance on any account or with a view to the execution of work or performance of the contract. And in case action is taken under any of the provision aforesaid the contractor shall not be entitled to recover or to be paid any sum for any work there of or actually performed under this contract unless and until the engineer in charge has certified in writing the performance of such work and value payable in respect thereof and he shall only be entitled to be paid the value so certified.

The need for determination of the amount of recovery of any extra cost/expenditure or of any loss or damage suffered by the company shall not however arise in case of termination of the contract for death/demise of the contractor as stated in 9.1(d).

UNQUOTE-

Accordingly as per clause no 9.2(ii) the amount to be recovered (to be deposited by you) is as follows

Total awarded Qty	- 15301614 cum
Total unexecuted Qty(Incomplete)	-15301614 cum
Total Awarded work value	-Rs 1329715391.00
Total unexecuted Work value	- Rs 1329715391.00
Total award Value(Excluding GST) [Cost to Company(GTC)]	-Rs 1329715391.00

20% Award Value of unexecuted work (Excluding GST) -Rs 265943078.20

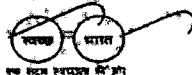
18% GST on 20% of Award Value of unexecuted work -Rs 47869754.08

20% of Award value unexecuted work including  
GST 18% [20% penalty to be recovered/imposed] - Rs 31,38,12,832.28 (Rupees Thirty one Crore  
Thirty Eight Lakh Twelve Thousand Eight  
Hundred Thirty Two and Paise Twenty Eight  
only)

Contd..... Pg/5



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Under the Circumstances above Company has no option except to take action as stipulated in the NIT issued vide NIT. No. SECL/BSP/CMC/E-Tender/450 dated 13/05/2021.

Hence under clause no. 4.2(b) and 9.2(ii) of the NIT/ Bid document/ Competent authority has approved the following actions against YOU.

1. Cancellation of LOI No. SECL:BSP/CMC:1050 dated 24-08-2021
2. Banning the contractor M/s Rana G Power Co (along with partners of the firm (1) Shree Satish Singh Tiwari, Partner of M/s Gold Mine Power Infrastructure Industries (2) Shree Ranjeet Kumar of M/s Ranavir Projects ) for a period of 24 months from participation in any future tender in SECL and subsidiaries of CIL.
3. To impose and recover penalties, as applicable from M/s Rana G Power Co as per the provision of NIT & CMM

Hence you are hereby directed to deposit the penalty amount Rs 31,38,12,832.28 ( Rupees Thirty one Crore Thirty Eight Lakh. Twelve Thousand Eight Hundred Thirty Two and Paise Twenty Eight only) within 30 days of issuance of this letter.

This will come into force with immediate effect.

Yours faithfully,

*[Signature]*  
General Manager  
Dipka Area

**Copy for kind information:-**

Director (Tech) Operation, SECL, Bilaspur  
Director (Finance), SECL, Bilaspur  
DT (R&P) Operation, SECL, Bilaspur

**Cc:-**

GM (CMC), SECL, Bilaspur- for further necessary circulation in all the area  
GM (Production), SECL  
GM (Finance)/HOD, SECL  
GM (Mining), Dipka Expn. Project  
GM (Operation)//SO (Mining), Dipka Area  
Dy. GM/collier Manager, Dipka Expn. Project  
AFM, Dipka Area  
APM, Dipka Area  
GM (Operation)/SO (Mining) - All Areas of SECL.