



उत्तर प्रदेश पावर कारपोरेशन लिमिटेड

(उत्तर प्रदेश सरकार का उपक्रम)

U.P. POWER CORPORATION LIMITED

(Govt. of Uttar Pradesh Undertaking)

CIN:U32201UP1999SGC024928

संख्या-69-कार्य/चौदह-पाकालि/2022-8(23)-के/2021

दिनांक: 10 जनवरी, 2022

प्रबन्ध निदेशक,
पूर्वांचल/मध्यांचल/दक्षिणांचल/
पश्चिमांचल, विद्युत वितरण निगम लि०,
वाराणसी/लखनऊ/आगरा/मेरठ,
केसको, कानपुर।

विषय: Invocation of clause 20 of tender specification no.CCP-II/28/2020-2021 and debarment of M/s Svasca Industries (India) Ltd., New Delhi.

महोदय,

कृपया उपरोक्त विषयक Superintending Engineer Corporate (Contact & Procurement-II), Uttarakhand Power Corporation Ltd. के पत्र सं०- 933/UPCL/CCP-II/28/2020-2021(Svasca) दि० 25.11.2021 जो कि M/s Svasca Industries (India) Ltd., New Delhi. को debar किये जाने के सम्बन्ध में है, का संदर्भ ग्रहण करें।

उपरोक्त पत्र की छायाप्रति प्रेषित करते हुए मुझे आपसे यह अनुरोध करने का निदेश हुआ है कि कृपया उक्त पत्र को संज्ञान में लेते हुए तदनुसार कार्यवाही कराने का कष्ट करें।

संलग्नक:-यथोपरि।

भवदीय,

(आर०के० गुप्ता)
उप सचिव (कार्य)

संख्या-69-(I)-कार्य/चौदह-पाकालि/2022 तददिनांक :-

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं अग्रेतर कार्यवाही हेतु प्रेषित:-

1. प्रबन्ध निदेशक, उ०प्र० पावर ट्रान्समिशन कारपोरेशन लि०/राज्य विद्युत उत्पादन निगम लि०/उ०प्र० जल विद्युत निगम लि०, शक्ति भवन, लखनऊ।
2. Superintending Engineer Corporate (Contact & Procurement-II), Uttarakhand Power Corporation Ltd. को उनके पत्र सं०-933/UPCL/CCP-II/28/2020-2021(Svasca) दि० 25.11.2021 के संदर्भ में।
3. उप महाप्रबन्धक (लेखा प्रशासन), उ०प्र० पावर कारपोरेशन लि०, शक्ति भवन, लखनऊ।
4. अधिशासी अभियन्ता (वेब), कक्ष संख्या-407, उ०प्र० पावर कारपोरेशन लि०, शक्ति भवन विस्तार, लखनऊ को वेबसाइट-www.uppcl.org पर अपलोड करने हेतु।

संलग्नक:-यथोपरि।

(आर०के० गुप्ता)
उप सचिव (कार्य)



उत्तराखण्ड पावर कारपोरेशन लि०
(उत्तराखण्ड सरकार का उपक्रम)
Uttarakhand Power Corporation Ltd.

(A. Govt. of Uttarakhand Undertaking)
CIN : U40109UR2001SGC025867
Email ID: upclccp2@gmail.com, Website: www.upcl.org

No. 933 /UPCL/CCP-II/28/2020-2021 (Svasca)

Dated: 28.1.2021

REGISTERED POST / Email

Without Prejudice

M/s Svasca Industries (India) Ltd.,
Regd. 8, House no. 10(SF),
East Punjabi Bagh, New Delhi
(Works - Plot No. 19, Sector -6, IIE.
SIDCUL, Pantnagar, Rudrapur, U.S.Nagar)
Email: info@svascaindustries.com

Subject:- Invocation of clause 20 of tender specification no. CCP-II/28/2020-2021 and debarment of M/s Svasca Industries (India) Ltd., New Delhi.

Dear sir,

As you are aware that tender was invited for procurement of 20 Nos., 12.5MVA, 33/11kV Power Transformers against tender specification no. CCP-II/28/2020-2021. That clause no (iii), (iv) of PQR and clause no 20 of the tender specification reads as under:

(iii) Operational experience:-

Performance certificate of at least 20% of the tendered quantity of 10MVA, 33/11kV power transformers or power transformers of higher capacity to the effect that the same has given three years proven trouble free service. The manufacturer shall provide performance certificate for the same issued from Govt. department/ Govt. undertaking/ SEB's / Power Sector Utilities.

(iv) Type Test:-

The offered transformer must have been fully type tested only from Govt. approved/NABL accredited testing laboratories as per relevant ISS and /or any other specified international standards, during last 5 years period to be reckoned from the date of opening of the tender.

In case the bidder does not have the valid type test report of 12.5 MVA, 33/11kV Power Transformer then the Part-II (Price Bid) of the bidder will be opened subject to condition that in the event of award, bidder has to submit valid type test report within 3 months from the date of LOI, however the approval of GTP & Drawing shall be done after valid type test is provided by the bidder, failing which additional Security submitted by firm as guarantee against timely providing of type test report, shall be forfeited.

Clause no. 20 of tender specification (Performance Security Deposit):

The contractor shall deposit performance security @ 10% (Ten percent) of the F.O.R. destination price of material including all taxes mentioned in P.O. in the form of bank draft, FDR / CDR or Govt. interest bearing security duly pledged in favour of Executive Engineer, Electricity Store Division, UPCL, Dehradun.....

In case where bidder is participating in the tender without valid type test report of 12.5 MVA Power transformer and in the event of award to such bidder, the bidder shall mandatorily provide additional security @ 5% (Five percent) of the F.O.R. destination price of material including all taxes mentioned in P.O. in the form of bank draft, FDR / CDR or Govt. interest bearing security duly pledged in favour of Executive Engineer, Electricity Store Division, UPCL, Dehradun within 7 days from the date of LOI in addition to performance security @ 10% (Ten percent) of the F.O.R. destination price of material including all taxes mentioned in P.O. in the form of bank draft, FDR / CDR/BG or Govt. interest bearing security duly pledged in favour of Executive Engineer, Electricity Store Division, UPCL, Dehradun which is required before executing the contract.

The Additional security shall remain valid for 3 months from the date of issue with claim period of one month thereafter.

Both the above mentioned securities are required for the execution of agreement.
The additional 5 % security deposit shall be released after the submission of valid type test report within the specified time by the contractor.

If the contractor fails to provide the valid Type test report within 3 months, UPCL shall forfeit the additional security @ 5 % of the contract value and UPCL shall be at liberty to initiate any or all of the following proceedings against the contractor:

1. The agreement so executed may be terminated.
- The contractor may be barred from participating in future tenders of UPCL for all type of transformers for a period of one year.



उत्तराखण्ड पावर कारपोरेशन लि०

Uttarakhand Power Corporation Ltd.

(उत्तराखण्ड सरकार का उपक्रम)

(A. Govt. of Uttarakhand Undertaking)

CIN : U40109UR2001SGC025867

Email ID: upclccp2@gmail.com, Website: www.upcl.org

The transformer required to be fully type tested, however firms were permitted to participate in the tender without a valid type test report subject to the conditions mentioned above.

- In pursuance to the Uttarakhand State purchase preference policy no. 1542 dated 20.08.2019, Counter offer, on L1 rates, was placed to you vide LOI no. 154 dated 22.05.2021.
- That acceptance of the counter offer was informed vide your letter no SIIL/UPCL/CCP-II/28/2021-21/130 dated 26.05.2021.
- You had submitted the additional security @5% for Rs 15,35,000/- vide your letter no. SIIL/UPCL/21-22/027 dated 05.08.2021 (received on 12.08.2021).
- The due date for submission of type test reports expired on 22.08.2021 and response was sought from you vide this office letter no. 637 dated 07.09.2021 in reply to which you had vide letter no. SIIL/UPCL/CCP-II/28/21/213 dated 08.09.2021 requests UPCL to extend the date of submission of type test reports and assured that the said reports shall be submitted by 20.10.2021.
- The reasons forwarded by you were nor satisfactory neither acceptable as per the agreed terms and conditions.
- Moreover, you yourself stated to provide the said report till 20.10.2021 which also you failed.
- Although as per the agreed terms and conditions, the time extension for submission of type test report could not be sought, the response was sought from you on default to analyze severity of your conduct for the purpose of taking further action apart from forfeiture of the additional security, your failure to honour even the assurance given in your letter and also the reasons and justification given for the failure, clearly demonstrate your lameness of excuse and willful default, which requires strict action.
- That the clause no B(4) of counter offer dated 22.05.2021 clearly provides as under:
"The valid type test report of 12.5 MVA, 33/11KV Power transformer has to be submit within 3 months from the date of LOI, however the approval of GTP & Drawing shall be done after submission of valid type test, failing which additional security submitted by firm as guarantee against timely providing of type test report, shall be forfeited."
- Further, clause B(6) provides as under:
"All other terms and conditions shall be as per tender specification no CCP-II/28/2020-21 and amendment thereof, if any."
- It is regretted that the type test reports have not been submitted till date, due to which the material is not made available to UPCL and is a clear breach of the settled terms and conditions; hence constraining UPCL for invoking of clause no 20 as mandated in tender.
- Therefore as per Clause 20(amended) of General Requirement of specification of tender specification no. CCP-II/28/2020-2021. following actions are being taken against you.
 - (i) The Additional 5% Security of Rs 15,35,000.00 shall be forfeited.
 - (ii) The LOI/counter offer date 22.05.2021 stands cancelled.
 - (iii) M/s Svasca Industries shall be barred from participating in future tenders of UPCL for all types of transformers for a period of one year.

SUPERINTENDING ENGINEER
CORPORATE (CONTRACT & PROCUREMENT-II)

No. 933 /C(C&P-II)// of

Dated: 25/11/2021

Copy forwarded to Executive Engineer, Electricity Store Division, UPCL, Dehradun with the remark that Additional Security Bank Gurantee No. 6003IPEBG2100 dated 04.08.2021 for Rs. 15,35,000/- submitted by M/s Svasca Industries (India) Ltd., New Delhi (Works – Rudrapur, U.S.Nagar) already sent to you vide this office letter No. 732 dated 28.09.2021 be en-cashed immediately under intimation to this office.

SUPERINTENDING ENGINEER
CORPORATE (CONTRACT & PROCUREMENT-II)



उत्तराखण्ड पावर कारपोरेशन लि०

Uttarakhand Power Corporation Ltd.

(उत्तराखण्ड सरकार का उपक्रम)

(A. Govt. of Uttarakhand Undertaking)

CIN : U40109UR2001SGC025867

Email ID: upclccp2@gmail.com, Website: www.upcl.org

No. 933/C(C&P-II)/of

Dated:

25/11/2021

Copy forwarded to following for information and necessary action:-

1. PS to MD, UPCL, VCV Gabar Singh Urja Bhawan, Dehradun.
2. Director (Finance)/ Director (Project)/Director (Operation), UPCL, VCV Gabar Singh Urja Bhawan, Dehradun.
3. Chief Engineer (Level-I), (C&P), UPCL, VCV Gabar Singh Urja Bhawan, Dehradun.
4. Chief Engineer, (MM&I), UPCL, VCV Gabar Singh Urja Bhawan, Dehradun.
5. Superintending Engineer, (MM/I&QA), UPCL, VCV Gabar Singh Urja Bhawan, Dehradun.
6. Executive Engineer (IT), UPCL, VCV Gabar Singh Urja Bhawan, Dehradun.

SUPERINTENDING ENGINEER
CORPORATE (CONTRACT & PROCUREMENT-II)

No. 933 /C(C&P-I)/of

Dated:

25/11/2021

Copy forwarded to following for information and necessary action:-

1. MD, Power Transmission Corporation of Uttarakhand Ltd, Dehradun.
2. MD, Uttarakhand Jal Vidyut Nigam, Dehradun.
3. MD, Puranchal Vidyut Vitran Nigam Ltd, Vidyut Nagar, Post office DLW, Varanasi-221004.
4. MD, Paschimanchal Vidyut Vitran Nigam Ltd, Victoria Park, Meerut-250001.
5. MD, UP Power Corporation Ltd, Sakthi Bhawan 14Ashok Marg, Lucknow.
6. The Chief Engineer (Material Management), Shakti Bhawan, Sector-6, Uttar Haryana Bijli Vitran Nigam, Panchkula.
7. The Chief Engineer, Electricity, (Material Management & Purchase), "Kaveri Bhawan" District Office Road, Karnataka Power Transmission Corporation Ltd., Post Box No. 9990, Bangalore-560009.
8. The Executive Engineer (Sector-X), C/ o Technical Director (Stores), Central Purchase Agency Plot No. G-9, Prakashgad, Station Road, Maharashtra State electricity Board, Bandra (East) Mumbai-400051.
9. The Purchase Officer/Metering, C/o Chief Engineer/Metering, Punjab State Electricity Board, Patiala.
10. The Executive Engineer, Store Purchase Officer, KESA HOUSE, 14/17, Civil Lines, Kanpur Electricity Supply Company Ltd., P.O. Box No. 141 Kanpur-208001.
11. The Chief Engineer/MM, Vidyut Sadan, Vidyut Nagar, Dakshin Haryana Bijli Vitran Nigam Ltd., Hisar-125005.
12. The Purchase Officer, Material Department, Jubilee House, Shahpur, Ahmedabad. Electricity Company Ltd., Ahmedabad-380001.
13. The Chief Engineer (TC&M) Viduthi Bhavanam, Pattom, Kerala State Electricity Board, Thiruvananthapuram.
14. The Superintending Engineer(P), 11 Shakti Bhawan, Vidyut Nagar, Madhya Pradesh State Electricity Board, Jabalpur-482008.



उत्तराखण्ड पावर कारपोरेशन लि०

(उत्तराखण्ड सरकार का उपक्रम)

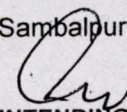
Uttarakhand Power Corporation Ltd.

(A. Govt. of Uttarakhand Undertaking)

CIN : U40109UR2001SGC025867

Email ID: upclccp2@gmail.com, Website: www.upcl.org

15. The Chief Engineer (Material), Sardar Patel Vidyut Bhawan, Head Office, Race Course, Gujrat Electricity Board, Baroda- 390007.
16. The Chief Engineer Transmission, Vidyut Soudha, Transmission Corporation of Andhra Pradesh Limited, Hyderabad- 500082.
17. The Dy. Chief Engineer (Designs) Sub Station Directorate, Himachal Pradesh State Electricity Board, Harnirpur (HP)
18. The Chief Manager (S&P), Engg. Building H.E.C. Dhurwa Jharkand State Electricity Board, Ranchi- 834004.
19. The Chief Manager (A&F), BSES Bhawan, Nehru Place, BSES Rajdhani Power Ltd., New Delhi- 110019
20. The Material Controller, Bidyut Bhawan (10th Floor), Bidhannagar, West Bengal State Electricity Board, Material Controller Central Stores & Purchase Department Kolkata-700091.
21. The Chief Engineer (S&P), Shed no. 6CSEB Complex, Dangania, Chhattisgarh State Electricity Board, Raipur-493013
22. The Electricity Superintending Engineer (Purchase), A-2 Vigyanpuri, Mahanagar Extension, Bihar State Electricity Board. Patna.
23. The General Manager (MAT, MGT), TSECL, Electricity House, Station Road, Surat- 395003.
24. The Chief Engineer (MM), TNEB, 4th Floor, Western Wing, NPKRR Maahgai- 800, Anna Saliai Cheenai-600002.
25. North Delhi Power Limited, Grid Sub Station Building, Hudson Lines, Kings way camp, Delhi-110009.
26. The Dy. Chief Engineer, HPSEB, Electrical Design Directorate, Larji Hydel Project, Jawahar Nagar, Mandi (HP)- 175001.
27. The Superintending Engineer (E) MIAO Electricity Circle, Department of Power MIAO, Arunachal Pradesh.
28. The Chief General Manager, P&MM/PSPDCI, 19-3-13 (M). Upstairs, Hero Honda Showroom, Renigunta Road, Tirupathi- 517501.
29. The Chief General Manager, P&MM/PNPDCI H. No. 1-1-478 & 503, Opp. REC Petrol Pump, Chaitanyanpuri, Hanamkonda Warrangal- 506004.
30. The Chief General Manager, P&MM & Operation, APCPDCL, H. No. 11-04-660, 3rd Floor, Singareni Bhawan Adjacent to Hanuman Temple, Khairatabad, Hyderabad- 500004.
31. The Chief General Manager, Operation & Materials, APEPDCL, H. No. 30-14-9, Near Saraswathi Park, Daba Gardens, Visakhapatnam- 530020
32. MD, Central Electricity Supply Utility of Orissa, 2nd floor, IDCO Tower Janpath, Bhubaneswar-751022.
33. North Eastern Electricity Supply Company of Orissa Ltd, Januganj Balasore, Orissa-756019
34. Western Electricity supply company of Orissa Ltd, Burla-768017 Dist-Sambalpur, Orissa


SUPERINTENDING ENGINEER
CORPORATE (CONTRACT & PROCUREMENT-II)