

राष्ट्रीय राजमार्ग एवं अवसंरचना विकास निगम लिमिटेड

सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार
तीसरी मंजिल, पीटीआई बिल्डिंग, 4-संसद मार्ग, नई दिल्ली-110001

National Highways & Infrastructure Development Corporation Limited

Ministry of Road Transport & Highways, Govt. of India
3rd Floor, PTI Building, 4-Parliament Street, New Delhi-110001, +91 11 23461600, www.nhidcl.com



(भारत सरकार का उद्यम)

(A Government of India Enterprise)

No. NHIDCL/Civil Work/A.P/ Taksing to Ghora /2020 /2446 Dated 10.06.2021

To,

M/s Globes Infracon pvt. Ltd.
Harsewakpur No:-1, Raptinagar, Phase-4,
Near Navels, P.O. Arogya
Mandir, Dist.: Gorakhpur (U.P.)
Pin:-273001
Email id:- globeinfra2012@gmail.com

(Kind Attention : Smt. Chhaya Singh, Authorized Signatory)

Subject: Construction of High Altitude Hill road from Taksing to Ghora from KM 0.000 to KM 7.090 in Upper Subansiri District of the state of Arunachal Pradesh on EPC Mode –
Debarment from participating in future projects of NHIDCL -Reg.

Ref:- i) LOA issued vide letter No.NHIDCL/Civil Work/A.P/ Taksing to Ghora /2020/2266 dated 29.12.2020.
ii) NHIDCL letter no. NHIDCL/Civil Work/A.P/ Taksing to Ghora /2020/2299 dated 18.01.2021.
ii) NHIDCL letter no. NHIDCL/Civil Work/A.P/ Taksing to Ghora /2020/2341 dated 19.02.2021

1. **WHEREAS**, Letter of Award (LOA) for the work of “Construction of High Altitude Hill road from Taksing to Ghora from KM 0.000 to KM 7.090 in Upper Subansiri district of the state of Arunachal Pradesh on EPC mode” (hereinafter referred as “Project”) was issued to Globes Infracon pvt. Ltd. (hereinafter referred as the “Selected Bidder”) on 29.12.2020 by National Highways Infrastructure & Development Corporation Limited (NHIDCL) (hereinafter referred as the “Authority”); and.

2. **WHEREAS**, discrepancies have been found in the financial statement submitted by bidder along the bid documents and the documents downloaded from the MCA website which are as under:-

Sr. No.	As per the documents available at MCA website	As per the documents submitted by the Selected bidder
1	Name of the Statutory Auditor is Alok Sharma & Co.	Name of the Statutory Auditor is Sunil Nisar & Co.
2	Turnover for financial year 2018-2019 is Rs. 35,949.00	Turnover for financial year 2018-2019 is Rs. 95,42,63,470.00
3	Turnover for financial year 2017-2018 is Rs. 34.00	Turnover for financial year 2017-2018 is Rs. 148,45,64,510.00
4	Turnover for financial year 2016-2017 is Rs. 1,45,000.00	Turnover for financial year 2016-2017 is Rs. 273,45,64,510.00
5	Net worth is Rs. 4,65,285.00	Net worth is Rs. 5,03,18,200.00

3. **WHEREAS**, it has also been found that Completion Certificate for the project of “State Highway Road from Dhamtari to Nagari District-Dhamtari” bearing letter no. TCIL/09/SH PWD/ADB dated 25.03.2016 issued by Project Director TCIL, Raipur, as submitted by M/s Globes Infracon Pvt. Ltd. is fake. Executive Director TCIL has informed that no such experience certificate has been issued by any TCIL official to M/s Globes Infracon Pvt. Ltd.

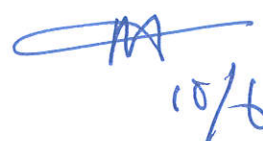
4. **WHEREAS**, discrepancies found in the technical bid documents have also been communicated to the Selected Bidder vide letter at ref. (ii) and (iii).

5. **Whereas**, the Authority vide letter at letter at ref. (iii) above issued ‘SHOW CAUSE NOTICE’ to explain within 15 (Fifteen) days as to why M/s Globes Infracon Pvt. Ltd. should not be debarred from participating in the future projects of NHIDCL for a period of One year.

6. **Whereas**, M/s Globes Infracon Pvt. Ltd. have not submitted any explanation and since no reply has been received from M/s Globes Infracon Pvt. Ltd., within the stipulated time period, it is presumed that M/s Globes Infracon Pvt. Ltd., have nothing to submit and further action will be taken in accordance with the provisions of the RFP.

7. **WHEREAS**, it was found that the Selected Bidder has deliberately and with malafide intention submitted false/fake documents at the time of submission of bid and influenced the bidding process and the work was awarded to the Selected Bidder based on those false documents.

8. **WHEREAS**, considering clause 2.6.3, 2.20.5 and section 4 of RFP, the LOA dated 14.12.2020 has been withdrawn by NHIDCL vide letter at ref. (ii) due to discrepancies found in the technical bid documents submitted by the Selected Bidder.



9. **WHEREAS**, M/s Globes Infracon Pvt. Ltd., has caused the breach to the relevant provisions of the RFP and more particularly to Clause 2.6.3, 2.20.5 and Section 4 of the RFP which reads as under:

Clause 2.6.3 of the RFP:

" In case it is found during the evaluation or at any time before signing of the Agreement or after its execution and during the period of defect liability subsistence thereof, that one or more of the eligibility and /or qualification requirements have not been met by the Bidder, or the Bidder has made material misrepresentation or has given any materially incorrect or false information, the Bidder shall be disqualified forthwith if not yet appointed as the contractor either by issue of the LOA or entering into of the Agreement, and if the Selected Bidder has already been issued the LOA or has entered into the Agreement, as the case may be, the same shall, notwithstanding anything to the contrary contained therein or in this RFP, be liable to be terminated, by a communication in writing by the Authority to the Selected Bidder or the Contractor, as the case may be, without the Authority being liable in any manner whatsoever to the Selected Bidder or the Contractor. In such an event, the Authority shall be entitled to forfeit and appropriate the Performance Security, as damages and/or to debar the Bidder/Selected Bidder/Contractor from participating in the future projects of NHIDCL, for a period of one year, without prejudice to any other right or remedy that may be available to the Authority under the Bidding Documents and / or the Agreement, or otherwise."

Clause 2.20.5 of RFP

" The Bidder may be debarred for a period of one year from participating in the future projects of NHIDCL, for causing loss of time and effort of the Authority without prejudice to any other right or remedy that may be available to the Authority under the bidding documents and / or under the Agreement, or otherwise, under the following conditions:

- a. Deleted
- b. If a Bidder engages in a corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice as specified in Section 4 of this RFP;
- c. If a Bidder withdraws its BID during the period of Bid validity as specified in this RFP and as extended by mutual consent of the respective Bidder(s) and the Authority;
- d. In the case of Selected Bidder, if it fails within the specified/extended time limit by Authority -



- i. to sign and return the duplicate copy of LOA;
- ii. to furnish the Performance Security /Additional Performance Security (if any) as per Clause 2.21; or
- iii. to sign the Agreement;

Section 4.1 of RFP

"The Bidders and their respective officers, employees, agents and advisers shall observe the highest standard of ethics during the Bidding Process and subsequent to the issue of the LOA and during the subsistence of the Agreement. Notwithstanding anything to the contrary contained herein, or in the LOA or the Agreement, the Authority may reject a BID, withdraw the LOA, or terminate the Agreement, as the case may be, without being liable in any manner whatsoever to the Bidder, if it determines that the Bidder, directly or indirectly or through an agent, engaged in corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice in the Bidding Process. In such an event, the Authority shall be entitled to debar the Selected Bidder from participating in the future projects of NHIDCL for a period of One year and forfeit & appropriate the Performance Security, as damages, without prejudice to any other right or remedy that may be available to the Authority under the Bidding Documents and/ or the Agreement, or otherwise."

10. In view of the aforesaid facts and circumstances, it is submitted that M/s Globes Infracon Pvt. Ltd., has adopted the fraudulent practice in order to obtain the bid and thereby influenced/vitiated the bidding process, and deliberately with malafide intention has caused breach to the relevant provisions of the RFP. Keeping in view the fraudulent practice adopted by M/s Globe Infracon Pvt. Ltd., NHIDCL/Authority is entitled to debar the Selected Bidder i.e. M/s Globe Infracon Pvt. Ltd., for a period of one year from participating in the future projects of NHIDCL, without prejudice to any other right or remedy that may be available to the Authority under the Bidding Documents and / or the Agreement, or otherwise.

11. The Selected Bidder has used the fabricated/fake documents/certificate in the bidding purpose for the project of strategic importance and on the basis of fabricated/false documents the technical and financial bid of M/s Globes Infracon Pvt. Ltd., was considered and the Letter of Award dated 29.12.2020 was issued in its favour, hence, M/s Globes Infracon Pvt. Ltd., has



influenced/vitiated the bidding process. Due to the malafide act of M/s Globes Infracon Pvt. Ltd., Authority, has re-invited the bid for the project in question and the fraudulent practice of M/s Globes Infracon Pvt. Ltd., has caused the loss of time and efforts to the NHIDCL, resulting into delay of the project of strategic importance.

12. Therefore, in view of the above and after taking into consideration all the facts & records the bidder has indulged in Fraudulent Practices and in terms of clause 2.6.3, 2.20.5 and under the provisions of clause 4.2 of section 4 of the RFP document, the Competent Authority hereby passes the following:

(i) **M/s Globes Infracon pvt. Ltd.** is hereby debarred for a period of 01 (one) year effective from the date of issue of this order, from participating in the future projects of NHIDCL, directly or indirectly, in any form, in any work connected with NHIDCL.

13. This letter is issued without prejudice to any other right or remedy available to the Authority under the RFP document and/or applicable law and is issued with the approval of the Competent Authority, NHIDCL.

Yours faithfully,

(Ajay Ahluwalia)
Executive Director (T)

10/06/2021

Copy to :

- i. Director General (RD) & SS Ministry of Road Transport & Highways.
- ii. Director General (Border Roads), Seema Sadak Bhawan, Ring Road, Narayana, New Delhi-100010.
- iii. Chairman, NHAI
- iv. Chief Secretaries (PWD/Roads) of all State Govt./UT with National Highways and Centrally Sponsored Schemes.
- v. Chief Engineer of all State Govt./UT dealing with National Highways and Centrally Sponsored Schemes.
- vi. P.S to MD, NHIDCL/Director (A&F/T), NHIDCL
- vii. All officers of NHIDCL-HQ/Branch Offices.
- viii. Media relation/IT division/INFRACON cell with request to get it hosted on NHIDCL website.