

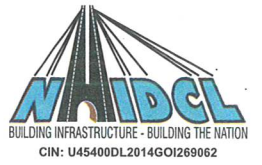
राष्ट्रीय राजमार्ग एवं अवसंरचना विकास निगम लिमिटेड

सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार
प्रथम तल, टावर ए, वर्ल्ड ट्रेड सेंटर, नौरोजी नगर, नई दिल्ली-110029,

National Highways & Infrastructure Development Corporation Limited

Ministry of Road Transport & Highways, Government of India

First Floor, Tower A, World Trade Centre, Nauroji Nagar, New Delhi-110029, Tel: +91 11 26768950, www.nhidcl.com



(भारत सरकार का उद्यम)
NHIDCL/Megh./JICA/NH-40(S-D)/Pkg-V/2020/2795

(A Government of India Enterprise)
Date: 18.11.2024

To,

M/s Indo Engineering Project
Corporation Ltd,
Plot No. 3, 3rd floor, Lusine Tower,
Wardha Road, Nagpur,
Maharashtra-440025

[Kind Attention: Sushil Patil, Managing Director]

Sub: Improvement/Widening to 2-lane with paved shoulder/4-lanning of NH-40 between Shillong to Dawki road upto Bangladesh Border including Dawki Bridge from (Design km 63+530 to km 71+520) design length of 7.99 km in the State of Meghalaya for execution on EPC mode under JICA funding - (Package-V)-Balance Work-
Debarment Notice reg.

Ref:(i) Your bid for the subject work dated 16.08.2023.

(ii) Show cause notice dated 20.02.2024, HQ NHIDCL letter no. 2621 dated 20.02.2024

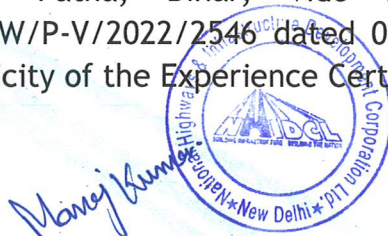
Sir,

Please refer your bid dated 16.08.2023 for the subject work.

2. This has reference to the bid submitted by M/s Nithin Sai Construction in JV with M/s Indo Engineering Project Corporation (hereinafter called the "Bidder") for the subject work on 16.08.2023.

3. Whereas, in the Technical bid submitted by the Bidder, an experience certificate issued by BUIDCo, Patna, Bihar, was submitted by its JV partner i.e. M/s Indo Engineering Project Corporation (M/s IEPC), for the project namely "Rehabilitation widening and strengthening existing Road with paved shoulder, RCC Drain, 2 Major and 3 Minor RCC Bridges, including Structural steel frame bus shelter, street lighting cum CCTY from Km 219.016 to Km 237.41 at Dumka to Sahebganj Road on EPC Mode, Gorganam Dist, Bihar".

4. Whereas, the verification of technical details of the above mentioned experience certificate as claimed by the JV partner M/s IEPC, was forwarded to the issuing Authority, BUIDCo, Patna, Bihar, vide HQ NHIDCL letter no. NHIDCL/Megh./NH-40(S-D)/B-W/P-V/2022/2546 dated 06.10.2023 for seeking the final verification and authenticity of the Experience Certificate.



5. Whereas, in response, BUIDCo, Patna, Bihar vide letter no. Budico/YO-2550/2022-4941 dated 12.10.2023 stated that "It is to inform that the Experience Certificate attached with your referenced letter is not issued by BUIDCo."

6. Whereas, based on information received from BUIDCo, a Show Cause Notice vide HQ NHIDCL letter no. 2621 dated 20.02.2024 was issued to the Bidder and subsequently an opportunity of personal hearings was also given by National Highways and Infrastructure Development Corporation (NHIDCL) (hereinafter called "The Authority") to the Bidder for presenting the evidence/defense, if any, regarding correctness of the Experience Certificate issued by BUIDCo.

7. Whereas, M/s IEPC failed to appear for the scheduled three (03) personal hearings, though M/s Nithin Sai Construction had reported to the Authority. However, despite the Authority's repeated opportunities, M/s IEPC appeared in the fourth scheduled personal hearing but was unable to present any credible argument/evidence in support of the correctness of the Experience Certificate

8. Whereas, in Purview of Section-4 of the RFP, "Fraud and Corruption Practices" Clause 4.1 "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."

9. And Whereas, as per Clause 4.3 (b) of the RFP, "fraudulent practice" means a misrepresentation or omission of facts or suppression of facts or disclosure of incomplete facts, in order to influence the Bidding Process"

10. In view of the above facts and circumstances, M/s Indo Engineering Project Corporation is hereby debarred from participating in future projects of NHIDCL for a period of one (01) year from the date of issuing this order as per clause 2.6.3, 2.20.4, 4.1 & 4.3 (b) of RFP.



11. This letter is issued without prejudice to any right or remedy available with the Authority under the Contract Agreement and/ or applicable law.

12. This issues with the approval of the Competent Authority please.

Yours Faithfully,


Executive Director (T)


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/Regional Offices
- (viii) Media relation/IT division/INFRACON cell with request to get it hosted on NHIDCL website.