

JRT/NHIDCL/GM/MSV-JRT/Corres/286/Pt-1/2023/ **3625** Date: 18<sup>th</sup> November 2024

**DEBARMENT NOTICE**

**Sub: Debarment of Shri Dharendra Kumar from engagement in NHIDCL/MORTH Projects for 18 (Eighteen) Months.**

It is brought to the notice of all the Divisions/Units of NHIDCL and other agencies of MORT&H that Shri Dharendra Kumar was appointed as replacement for Senior Pavement Specialist on 19.12.2023 by M/s MSV International Inc. in Association with Vaishnavi Infratech Services Pvt. Ltd., for the work of "Consultancy services as Authority's Engineer for Supervision of:- (i) "Rehabilitation and Augmentation of 4 laning of Numaligarh to Jorhat section from Km 402.500 to Km 453.00 of NH-37 except construction of Dergaon Bypass from Km 426.80 to Km 437.420 in the state of Assam under SARDP-NE Phase 'A'." (ii) "Rehabilitation and Up-gradation of Dergaon Town to 4 laning from km. 426.800 to km 437.420 on NH-37 in the state of Assam on Engineering, Procurement & Construction (EPC) Mode" (iii) "Four laning of Jorhat to Jhanji Section of NH-37 from Km 453.00 to Km 491.050 (Design Km 453.000 to 490.800) in the state of Assam under SARDP-NE on Engineering, Procurement and Construction Mode."

2. WHEREAS, Shri Dharendra Kumar joined the assignment as Senior Pavement Specialist on 19.12.2023.

3. WHEREAS, Shri Dharendra Kumar, vide undertaking/consent dated 20.10.2023, has undertaken that he shall be available for the entire project duration captioned above and has vested the right of debarment in NHIDCL, considering all the Terms and Conditions of the tender document.

4. WHEREAS, Shri Dharendra Kumar had applied for leave from 24.05.2024 to 30.05.2024 and left the site without the Authority's approval of the leave or approval of the Authority's Engineer (Consultant). Based on the reluctance of Shri Dharendra Kumar to continue at the position of SPS at Jorhat and their casual and lackadaisical attitude towards the duties assigned to him towards the end of May 2024, the leave from 24.05.2024 to 30.05.2024 was not approved. However, Shri Dharendra Kumar did not wait for the decision of the Competent Authority to grant the leave and left the site unauthorised. Therefore, Shri Dharendra Kumar breached GCC Clause 4.5.6 of the Contract Agreement signed between M/s MSV-VISPL and NHIDCL.

5. WHEREAS, via email on 03.06.2024 to AE, Shri Dharendra Kumar requested 15 days of leave due to health issues. However, Shri Dharendra Kumar did not report to AE on the resumption of duties at Jorhat. Authority's Engineer vide letter dated 05.07.2024 further mention that the earlier test report produced by Shri Dharendra Kumar appear counterfeit and Shri Dharendra Kumar is just erroneous the company.

6. WHEREAS, Shri Dharendra Kumar was served a Show Cause notice by NHIDCL, PMU Jorhat under RO-Guwahati vide letter No. JRT/NHIDCL/GM/MSV-JRT/Corres/286/Pt-3/2024/5387, dated 24.06.2024, wherein the Authority sought an explanation from him as to why he left the site without permission along with why action for debarment for 18 months, i.e. 1.5 years from participating in any future projects of NHIDCL/MORTH as per Clause No. 4.5.6 may not be taken against him.

7. WHEREAS, Shri Dharendra Kumar has not submitted any reply to the Show Cause Notice.





8. WHEREAS, Shri Dharendra Kumar was further given chance of personal hearing via email dated 16.08.2024 at NHIDCL, HQ on 19.08.2024. Shri Dharendra Kumar did not attend the personal hearing. Further, Shri Dharendra Kumar was issued Show Cause Notice again on 10.10.2024 to which he replied via email dated 18.10.2024 mentioning absence was due to a serious medical condition that required immediate attention and ongoing treatment. It has been learned that Shri Dharendra Kumar is deployed as Senior Pavement Specialist (SPS) at project of Consultancy Services of Independent Engineer for Improvement and Upgradation of NH-74 (New NH-30) Bareilly- Pilibhit- Sitarganj NH-74 (New-30) on Package-I of Bareilly - Pilibhit from km 0+00 to km 32+500 on HAM basis in the state of Uttar Pradesh and Package-II of Pilibhit - Sitarganj from km 32+500 to km 64+800 & Ch. 0+00 to 6+00 (Sitarganj Bypass) on HAM basis in the State of Uttar Pradesh & Uttarakhand under PIU-Bareilly, RO Lucknow of NHAI vide NHAI's letter dated 16.04.2024. This indicate submissions of Shri Dharendra Kumar w.r.t. serious medical condition does not restricting him working as SPS.

9. WHEREAS, Clause 4.5.6 of the ToR of Contract Agreement signed with the Authority's Engineer reads as ***"If any member of the approved team of a consultant engaged by NHIDCL leaves that consultant before completion of the job, he shall be barred for a period of 6 months to 18 months from being engaged as a team member of any other consultant working (or to be appointed) for any other NHIDCL/ MoRTH projects"***.

10. WHEREAS Shri Dharendra Kumar was on unauthorised leave without informing the Authority during the subsistence of the project work; therefore, he was in breach of GCC Clause 4.5.6 of the Contract Agreement. Accordingly, Shri Dharendra Kumar is hereby debarred for 18 (Eighteen) Months from engagement in NHIDCL/MoRTH's projects of/or to be undertaken by it either directly or indirectly effective from the date of this circular.

11. The brief details of Shri Dharendra Kumar are as follows: -

| Sl No. | Date of Birth | email ID              | PAN No:    |
|--------|---------------|-----------------------|------------|
| 1      | 20.04.1983    | dkumar108@myyahoo.com | CBGPK7399D |

12. This issue with the approval of the Competent Authority.

  
(Mayur Murlidhar Shindekar)  
General Manager (T)

To:

- i. PPS to DG(RD) & SS, MoRTH.
- ii. DG(BR), Seema Sadak Bhawan, New Delhi.
- iii. PS to Chairman, NHAI.
- iv. PS to MD, NHIDCL.
- v. PS to Director (A&F), NHIDCL.
- vi. PS to Director (Tech-I)/PS to Director (Tech-II), NHIDCL.
- vii. All ED(T /P)s, GM(T/P)s, DGM(T/P)s NHIDCL.
- viii. IT Division: to host it on the NHIDCL website.
- ix. INFRACON (IT Cell): With requesting to block Shri Dharendra Kumar's CV on the INFRACON portal.
- x. Consultant: M/s MSV International Inc. in Association with Vaishnavi Infratech Services Pvt. Ltd. - with a request to hand over this notice to Shri Dharendra Kumar immediately.