

# 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)

NHIDCL/J&K/NH-244/G-K-K/AE(GK3, KK1, KK2)/2021-22/1473

29.07.2021

To  
All The Bidders,

**Subject:** Sub.: Consultancy Services as Authority's Engineer for Supervision of (I) Construction of Uni-Directional Khellani Tunnel of length 1.574 Km & its approach Road from Km 29.030 to Km 31.449 of total length of 2.419 Km on NH-244 in Union Territory of Jammu & Kashmir on EPC Mode .(GKP3) & (II) Construction & Upgradation to 2 lane with paved shoulder from Design Km. 31.449 (Khellani) (Ex. Km 44.946) to Km 51.700 (Prem Nagar) (Ex. Km 68+617) of 20.251 Km length on Khellani – Kishtwar – Chattroo section of NH-244 in the Union Territory of Jammu & Kashmir on EPC mode.(P-I) & (III) Construction & Up gradation to 2 lane with paved shoulder from Design Km. 51.700 (Prem Nagar) to Km 66.535 (New Thathri) of 14.84 Km length on Khellani – Kishtwar –Chattroo section of NH-244 in the Union Territory of Jammu & Kashmir on EPC mode (Pkg –II) – Revised Technical Evaluation Result - reg.

Ref.: Your Bid Dated 24.06.2021.

Sir,

Please refer to your proposal for the project cited above. In this regard technical evaluation result is as under:-

Sr. No.	Name of Bidder	Eligible for Financial Opening
1	M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	Eligible
2	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	Eligible
3	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.	Eligible

Financial bids will be opened on 30.07.2021 at 1200 hrs.

B. Shivprasad  
General Manager (Tech.)

National Highways & Infrastructure Development Corporation Limited  
(Ministry of Road Transport & Highways, Government of India)

Minutes of Meeting of Technical Bid Evaluation Committee (TEC) to evaluate the Technical bids for **CONSULTANCY SERVICES FOR AUTHORITY'S ENGINEER FOR SUPERVISION OF**

(I) Construction of Uni-Directional Khellani Tunnel of length 1.574 Km & its approach Road from Km 29.030 to Km 31.449 of total length of 2.419 Km on NH-244 in Union Territory of Jammu & Kashmir on EPC Mode.

&

(II) Construction & Upgradation to 2 lane with paved shoulder from Design Km. 31.449 (Khellani) (Ex. Km 44.946) to Km 51.700 (Prem Nagar) (Ex. Km 68+617) of 20.251 Km length on Khellani - Kishtwar - Chattroo section of NH-244 in the Union Territory of Jammu & Kashmir on EPC mode.

&

(III) Construction & Up gradation to 2 lane with paved shoulder from Design Km. 51.700 (Prem Nagar) to Km 66.535 (New Thathri) of 14.84 Km length on Khellani -Kishtwar -Chattroo section of NH-244 in the Union Territory of Jammu & Kashmir on EPC mode (Pkg -II).”.

Date: 26.07.2021 (3:00 PM)

Venue: PTI Building, 3<sup>rd</sup> Floor, Conference Hall, NHIDCL HQ, New Delhi.

Having opened the Technical bids on 24.06.2021, Technical Evaluation Committee (TEC) met on 26.07.2021 to evaluate the proposals as per the terms of RFP document.

2. Member Secretary apprised that:

- a) As per clause 4.1 of Section-2 of RFP, bidders are required to submit their Technical Proposal only through online mode i.e. via CPP portal and INFRACON portal and no separate hard copy was required to be submitted.
- b) 03 (three) firms submitted their bids on Infracon Portal and CPP Portal by due date and time. Details of firms are as under:

S. No.	CPP Portal	Infracon Portal	Remarks
1.	M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	Responsive
2.	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	Responsive
3.	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.	Responsive



- c) Accordingly, bids of following 03 (three) firms submitted on Infracon Portal as well as on CPP portal have been evaluated:

Sr. No.	Name of Consultant	Type of Venture	Lead Member (or Sole)	Other Member (JV/ Associate)
1.	M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	Joint Venture	Segmental Consulting and Infrastructure Advisory Pvt. Ltd	SA Infrastructure Consultants Pvt. Ltd
2.	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	Association	RITES Limited	SPACE Engineers Consortium Pvt. Ltd
3.	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.	Joint Venture and Association	Egis India Consulting Engineers Pvt. Ltd.	Consulting Engineers Group Ltd. and SRIINFOTECH.

3. The Committee noted that the Consultants had submitted their Technical Proposal on e-Procurement Portal i.e. on CPP Portal & INFRACON portal and the evaluation has been carried out based on the details submitted by bidders. The proposals were examined as per Section-2 (Letter of Invitation to Consultants) Data Sheet of RFP Document. Details of documents submitted by the bidders w.r.t Clause 4.1 (B) of RFP are attached at **Annexure-I**.

4. The technical evaluation of the above mentioned qualified firms were carried out. The key points observed during technical evaluation are summed up as follows:

**4.1 Relevant experience for assignments:-**

The marks obtained by the firms towards relevant experience for assignments are enclosed as **Annexure-II** which is summarized below:

Sr. No.	Name of the firm	Maximum Marks	Marks obtained
1.	M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	40	40
2.	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.		40
3.	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.		39

**4.2 Experience in use of technology for road inspection proposed to be used:**

The marks obtained by the firms towards technology for road inspection proposed to be used for assignments are enclosed as **Annexure-III** which is summarized below:



Sr. No.	Name of the firm	Maximum Marks	Marks obtained
1.	M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	10	10
2.	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.		10
3.	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.		10

#### 4.3 Qualifications and competence of the proposed key personnel :

The marks obtained by the key personnel of the firms towards Qualifications and competence of the proposed key personnel for assignments are enclosed as **Annexure-IV** which is summarized below:

Position	Total marks	1	2	3
		M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.
		Marks	Marks	Marks
Team Leader Cum Senior Tunnel Expert	10	8.98	8.75	8.88
Resident Engineer cum Tunnel Excavation Expert	5	4.65	4.05	4.45
Senior Geotechnical Expert	4	3.04	3.12	3.80
Tunnel Design Engineer	5	4.40	4.18	4.55
Tunnel Safety Expert	4	3.44	3.58	3.80
Senior Geologist	4	3.14	3.32	3.20
Sr. Contract Specialist	4	3.76	3.76	3.80
Resident cum Highway Engineer	5	4.60	4.80	4.75
Senior Quality cum Material Expert	4	3.64	3.84	3.64
Bridge/Structural Engineer	5	4.55	4.75	4.75
<b>Total</b>	<b>50</b>	<b>44.20</b>	<b>44.15</b>	<b>45.62</b>

5. The final technical scores of the firms w. r. t. above mentioned three criteria of technical evaluation are mentioned as under:

Summary of evaluation of Technical Proposals						Remarks
S. No.	Name of the Firm	Relevant experience for assignments	Experience in use of technology for road inspection	Qualifications & competence of the key personnel	Total marks	
	Maximum Marks →	40	10	50	100	
1	M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	40	10	44.20	94.20	Eligible for opening of financial proposal
2	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	40	10	44.15	94.15	Eligible for opening of financial proposal
3	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.	39	10	45.62	94.62	Eligible for opening of financial proposal

6. In view of the above, TEC agreed and recommended that all the 03 (three) bidders qualify for the next stage of evaluation i.e. Evaluation of Financial Proposal:

Sr. No.	Name of Bidder	Eligible for Financial Opening	Nos. of on-going projects with NHIDCL	
1	M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	Eligible for opening of financial proposal	Segmental	1
			SA Infrastructure	1
2	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	Eligible for opening of financial proposal	RITES	0
			SPACE	0
3	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.	Eligible for opening of financial proposal	Egis	0
			Consulting Engineers	0
			SRIINFOTECH	0



7. TEC, thus, recommended that:

- i) The scores of the firms in second stage evaluation as brought out in the para 5 above and the list of the technically qualified bidders may be uploaded online on CPP Portal and NHIDCL website, giving opportunity to the bidders to respond.
- ii) Financial Bids may be opened subsequently with the approval of the Competent Authority.

Meeting ended with vote of thanks to Chair.



Sh. Bhaskar Mallick  
Manager (Fin.)  
(Member)



Sh. B. Shivprasad  
GM (Tech.)  
(Member Secretary)



Sh. Pankaj Grover  
GM (Tech.)  
(Member)



Sh. K.P Singh  
Executive Director-III  
(Chairman)



## Annexure-I

S. No.	Details of documents to be submitted as per RFP 4.1(B)	1	2	3
		M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.
1.	Power of Attorney for signing of Application	Yes	Yes	Yes
2.	If applicable, the Power of Attorney for Lead Member of JV.	Yes	NA	Yes
3.	Copy of Memorandum of Understanding between JV partners, if applicable.	Yes	NA	Yes
4.	Copy of Memorandum of Understanding with Associate, if applicable.	Yes	Yes	Yes
5.	Firms credentials as per format prescribed in Section-3 of RFP.(The details are to be submitted through INFRACON only)	Yes	Yes	Yes
6.	Technical proposal as per format prescribed in Section-4 of RFP. (The details are to be submitted through INFRACON only)	Yes	Yes	Yes
7.	Online Payment Receipt towards cost of RFP of Rs. 5,900/- (Five Thousand and Nine Hundred only) in favour of NHIDCL.	Yes, Ref No. 106221202297 dated 22.06.2021.	Yes, Axis Bank Ref No. AR002/R002/2021 0621/152013/964 dated 21.06.2021.	Yes, ICICI Bank Ref No. INF/NEFT/02439332757 1/CNRB0019062/EGIST dated 22.06.2021.
8.	Integrity Pact as per Cl. 4.1 (B) (IV) of Section-2 of RFP.	Yes	Yes	Yes
9.	Appendix B-11 (Details of Ongoing and awarded work in NHIDCL) as per Cl. 1.7(e) of Section-2 of RFP.	Yes	Yes	Yes





**Consultancy Services as AE for Supervision of Construction of Uni-Directional Khehlani Tunnel and Construction and Upgradation to 2 lane with paved shoulder from on Khehlani-Kishtwar-Chattoo of NH- 244 in Jammu and Kashmir (Package-I and II)**

**Evaluation for assessment of experience of the firms (Relevant experience of firm for assignment)**

Evaluation Criteria for Assessment of Experience of the Firm.						
S. No.	Description		Max Marks	Segmental Consulting & Infrastructure Advisory pvt. Ltd. in JV with SA Infrastructure Consultants pvt. Ltd.	RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH
			Assessed Marks	Assessed Marks	Assessed Marks	
1	Average Annual Turnover (last 3 years) from consultancy business		2	2	2	2
	<20.71 Cr – 0 marks					
	20.71 Cr – 1.5 marks					
	Add for additional turnover 0.25 (Zero point two five) marks for every Rs. 10.36 Cr above Rs. 10.36 Cr subject to maximum 0.5 marks					
2	Nos. of Highway Professionals with the firm *		10	10	10	10
2.1	<10					
2.2	>10 but <20					
2.3	>20 but ≤30					
2.4	>30					
*The professionals who possess degree in Civil Engineering/Transport Planning /Transport Economics/Traffic Management / Geology/ Environment Science or Engineering and 8 years experience in highway/bridge /tunnel with employment in the firm for more than one year. The current Employment Certificate shall be uploaded by Key Personnel on INFRACON.						
3	Experience as Independent Engineer/ Authority Engineer/ Construction Supervision in Number of Highway Projects of 2/4/6- laning** of length equal to 37.51 km or more in last 5 Years preceding bid submission date.  1 project – 4 marks Add 1(one) mark extra for completed assignment of Authority Engineer/Independent Engineer and add 0.5 (Zero point five) marks extra for completed assignment of supervision consultancy subject to maximum 5 (five) marks		5	5	5	5
4	Design Report preparation for Number of Highway Projects of 2/4/6- laning** of length (equal to 15 km km or more in last 7 Years preceding bid submission date. Experience In DPR/Feasibility Study cum Preliminary  1 project – 4 marks Add 0.5 (Zero point five) marks extra for each additional project subject to maximum 1 mark.		5	5	5	5
5	In hand DPRs of Highway/Bridge/Tunnel Projects ( presently under progress)		10	10	10	10
5.1	<2					
5.2	2-5					
5.3	>5					
6	Experience In Construction Supervision/DPR/Design Review of Major structures having length of more than 500 meter in last 7 Years preceding bid submission date.  1 project – 2.0 marks Add 0. 5 (Zero point five) marks extra for each additional project subject to maximum 1.0 marks		3	3	3	3
	Experience as IE/AE/construction supervision in number of tunnel projects of length equal to or more than 0.6 km of road/rail/metro tunnel for which RFP invited in last 7 years preceding bid submission date.		5	5	5	4
Total			40	40	40	39



2	Evaluation Criteria for assessment of experience in use of technology for road inspection				
	Name of the bidder		Segmental Consulting & Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure	RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with
S. No.	Description	Max Marks	Assessed Marks	Assessed Marks	Assessed Marks
1	Experience in Network Survey Vehicle (NSV) or better technology for pavement inspection	3.5			
1.1	Equipment	2	2	2	2
	(a) Equipment on MOU with Associate or on hiring basis Basic - 1 marks				
	(b) Own Equipment - 2 marks				
1.2	Experience	1.5	1.5	1.5	1.5
(i)	1-2 projects	0.5			
(ii)	3-5 projects	1			
(iii)	> 5 projects	1.5			
2	Experience in Falling Weight Deflectometer (FWD) or better technology for pavement strength measurement	2			
2.1	Equipment	1	1	1	1
	(a) Equipment on MOU with Associate or on hiring basis - 0.5 marks				
	(b) Own Equipment - 1 marks				
2.2	Experience		1	1	1
(i)	1-3 Projects	0.5			
(ii)	>3 Projects	1			
3	Experience in Mobile Bridge Inspection Unit or better technology for bridge inspection	2.5			
3.1	Equipment	1	1	1	1
	(a) Equipment on MOU with Associate or on hiring basis- 1 mark				
	(b) Own Equipment - 1 mark				
3.2	Experience	1.5			
(i)	1-2 Projects	0.5			
(ii)	3-5 Projects	1			
(iii)	> 5 Projects	1.5			
4	Experience in Retro reflectometer technology	2			
4.1	Equipment	1	1	1	1
	(a) Equipment on MOU with Associate or on hiring basis- 0.5 mark				
	(b) Own Equipment- 1 marks				
4.2	Execution with owned / hired Equipment / through Associate	1	1	1	1
(i)	1-3 Projects	0.5			
(ii)	>3 Projects	1			
Total		10	10	10	10





Evaluation of Technical Proposal - Summary of Key Personnel								
S. No.	Position	Total marks	1		2		3	
			Segmental Consulting & Infrastructure Advisory pvt. Ltd. in JV with SA Infrastructure Consultants pvt. Ltd.		RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.		Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRINFOTECH	
			Name	Marks	Name	Marks	Name	Marks
1	Team Leader cum Senior Tunnel Expert	10	Satish Chander Sharma	8.98	Nisar Hussain Mir	8.75	Ram Bachan shivali	8.88
2	Resident Engineer cum Tunnel Excavation Expert	5	Rajesh Kumar Thakur	4.65	Younus Ahmed Shad	4.05	Ranjeet Kumar	4.45
3	Senior Geotechnical Expert	4	Girish Chotalia	3.04	Sarvesh Kumar Asthana	3.12	Pratul Kumar Choudhary	3.80
4	Tunnel Design Engineer	5	Francisco Mendoza Y Gaddi	4.40	Rajeev Kumar Dayal	4.18	Dr. Manoj Verman	4.55
5	Tunnel Safety Expert	4	Sanjay Kumar Sharma	3.44	Nirul Imam	3.58	Praveen S Dongre	3.80
6	Senior Geologist	4	Suresh Kumar	3.14	Amit Kumar	3.32	Dr Shyo Prasad	3.20
7	Sr. Contract Specialist	4	Ramesh Kumar Gupta	3.76	Md IKLAQ	3.76	Sandeep Khare	3.80
8	Resident cum Highway Engineer	5	Mohit Gandotra	4.60	Ajay Kumar	4.80	RAMASUBBARAJU	4.75
9	Senior Quality cum Material Expert	4	Sharad Saxena	3.64	Dinesh Mishra	3.84	Anil Kumar Gosh	3.64
10	Bridge/Structural Engineer	5	Ashutosh Sharan	4.55	Satish Kumar	4.75	Ajay Kumar	4.75
	Total	50		44.20		44.15		45.62



**National Highways & Infrastructure Development Corporation Limited**  
**(Ministry of Road Transport & Highways, Government of India)**

**2<sup>nd</sup> Minutes of Meeting of Technical Bid Evaluation Committee (TEC) to evaluate the Technical bids for CONSULTANCY SERVICES FOR AUTHORITY'S ENGINEER FOR SUPERVISION OF**

**(I) Construction of Uni-Directional Khellani Tunnel of length 1.574 Km & its approach Road from Km 29.030 to Km 31.449 of total length of 2.419 Km on NH-244 in Union Territory of Jammu & Kashmir on EPC Mode.**

**&**

**(II) Construction & Upgradation to 2 lane with paved shoulder from Design Km. 31.449 (Khellani) (Ex. Km 44.946) to Km 51.700 (Prem Nagar) (Ex. Km 68+617) of 20.251 Km length on Khellani - Kishtwar - Chattroo section of NH-244 in the Union Territory of Jammu & Kashmir on EPC mode.**

**&**

**(III) Construction & Up gradation to 2 lane with paved shoulder from Design Km. 51.700 (Prem Nagar) to Km 66.535 (New Thathri) of 14.84 Km length on Khellani -Kishtwar -Chattroo section of NH-244 in the Union Territory of Jammu & Kashmir on EPC mode (Pkg -II).”.**

**Date:** 27.07.2021 (3:00 PM)

**Venue:** PTI Building, 3<sup>rd</sup> Floor, Conference Hall, NHIDCL HQ, New Delhi.

1. The following three firms submitted their bid for the subject project by due date and time :-

- i. M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.
- ii. M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.
- iii. M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.

2. The Committee met on 26.07.2021 to evaluate the bids and found that all three bids were technically responsive. Thereafter, the technical evaluation result was uploaded on CPP portal and NHIDCL website on 26.07.2021.

3. Thereafter, the committee was apprised that an input had been received on email from [nayakrajjk2015@gmail.com](mailto:nayakrajjk2015@gmail.com) stating that M/s Egis India Consulting Engineers Pvt. Ltd. has been blacklisted by the Bihar State Road Development Corporation Ltd. (BSRDC : a Govt. of Bihar Undertaking) vide letter no. BSRDC Ltd.3384/2020-1180 dated 15.04.2021. However, the bidder has not intimated NHIDCL regarding the debarment from BSRDC. Committee has perused the relevant BSRDC debarment letter and revised the technical evaluation result as per Para 4 below.



4. In view of the above, TEC agreed and recommended that only 02 (two) bidders qualify for the next stage of evaluation i.e. Evaluation of Financial Proposal as follows :-

Sr. No.	Name of Bidder	Eligible for Financial Opening
1	M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	Eligible for opening of financial proposal
2	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	Eligible for opening of financial proposal
3	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.	Not Eligible for opening of financial proposal

Meeting ended with vote of thanks to the Chair.



Sh. Bhaskar Mallick  
Manager (Fin.)  
(Member)



Sh. B. Shivprasad  
GM (Tech.)  
(Member Secretary)



Sh. Pankaj Grover  
GM (Tech.)  
(Member)



Sh. K.P Singh  
Executive Director-III  
(Chairman)

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**BLACKLISTED FIRM CONSIDERED IN NHIDCL BID**

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**From :** nayakrajjk2015@gmail.com Tue, Jul 27, 2021 12:41 PM  
**Subject :** BLACKLISTED FIRM CONSIDERED IN NHIDCL BID 1 attachment  
**To :** Shivprasad x <shivprasad.152p@gov.in>, KK Pathak <md@nhidcl.com>, VK Rajawat <technicaldirector@nhidcl.com>  
**Cc :** Info Nhidcl <info@nhidcl.com>, SANKET BHONDVE <ps-morth@gov.in>, SECRETARY MORT&H <secy-road@nic.in>

Dear ALL,

this is to inform that NHIDCL IS CONSIDERING FIRMS THAT HAVE BEEN BLACKLISTED BY GOVT ORGANISATIONS IN THEIR TECHNICAL EVALUATION.  
THIS IS WITH REFERENCE TO THE RECENTLY SUBMITTED BID OF NHIDCL IN J&K :

**Consultancy services as Authority's Engineer for Supervision of (i) Construction of Uni directional Khellani Tunnel in Union Territory of Jammu& Kashmir:**

**Egis India Consulting Engineers Pvt .Ltd in JV with Consulting Engineers Group Ltd in association with Sri Infotech has been considered as RESPONSIVE though Egis has been recently blacklisted by BIHAR STATE ROAD DEVELOPMENT CORPORATION LTD ( A GOVT OF BIHAR UNDERTAKING) ON 25/4/2021. How can a recently blacklisted firm be considered as responsive after being blacklisted by a Govt body three months back. the firm has been debarred by Bihar gOVT organisation from participating in all future tenders of BSRDCL. ( REFER TO LETTER ATTACHED)**

**Please look into this and ensure that NHIDCL looks into bids impartially .**

**AS ALWAYS, LOOK FOR A FAIR EVALAUTION PROCESS FOR QUALITY WORK.**

**REGARDS,  
NAYAK**

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 **egis blacklisting.pdf**  
1 MB

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# BIHAR STATE ROAD DEVELOPMENT CORPORATION LTD.

(A Government of Bihar Undertaking)

Registered Office: Central Mechanical Workshop Campus, Near Airport, Sheikhpura, Patna-800014

Tel: 0612-2226711/2226723

Letter No. BSRDC Ltd.3384/2020 - 1180(स)

Patna, dated. 15/4/2021

From,

Sanjay Kumar  
Chief General Manager

To,

Mr. Pankaj Vatsa,  
Engineer,  
M/s Egis International S.A in JV with  
Egis India Consulting Engineers Pvt. Ltd.,  
Plot No. 66, Sector-32, Gurgaon, Haryana-122003

Sub: Consultancy Services for Construction Supervision of Package-2 for Kadirganj-Khaira Road(SH-82) and Bihia-Jagdishpur-Piro-Bihta Road(SH-102) under BSHP-III.

Reg: Debarment of Supervision Consultant M/s Egis International S.A. in JV with Egis India consulting Engineers Pvt. Ltd. from the Supervision Consultancy Services under Clause 6 of TOR of Supervision Consultancy Contract.

Ref: (i) BSRDCL Letter no.BSRDC Ltd.3384/2020-4855 dated-15.12.2020  
(ii) DGM(Tech.), PIU, Jamui letter no.137(we) dated-07.04.2021  
(iii) BSRDCL Letter no.BSRDC Ltd.3372/2020 dated-15.04.2021

Sir,

Contract Agreement was executed on 16<sup>th</sup> March 2019 between Bihar State Road Development Corporation Ltd.(hereinafter after called the "Client/Employer") and Joint Venture Egis International S.A. in Joint Venture with Egis India Consulting Engineers Pvt. Ltd.(hereinafter called the "Consultant") to provide consulting services for Construction Supervision of Package-2 for Kadirganj-Khaira Road(SH-82) and Bihia-Jagdishpur-Piro-Bihta Road(SH-102) under BSHP-III (herein after called the "Services").

2. The present position of the services has been evaluated by the Client based on the following facts:-

2.1 A team of three members of BSRDCL inspected the site of SH-82 (Kadirganj-Khaira Road) on 15.10.2020 to find out the reply of Question (Question No.-Road-36) raised in Vidhan Sabha by Shri Arun Kumar, Hon'ble Member of 16<sup>th</sup> Bihar Legislative Assembly regarding defective construction of pile of Bridge at Km 36 & Km 38 and drain near village Rupo at Km 16 respectively and accordingly submitted their report based on the site inspection, report and discussion held with the Supervision Consultant. The summary of said report is as under: -

2.1.1 Minor Bridge at Km 36:- This is 3-Span Minor Bridge. Team Leader & Sr. Bridge Engineer explained that as per design, depth of all Piles of Abutment-1 & Abutment-2 of said bridge is 15 m whereas design depth of 4-4 Piles of Pier-1 & Pier-2 is 22 m, but the piles of Pier-1 & Pier-2 could not be driven to design depth of 22 m due to encounter of hard Rock strata. In this regard, as per submitted report, in order to assess the load carrying capacity of Pile, vertical load test was done on 2 nos. of Piles and accordingly found satisfactory by Supervision Consultant, but details as to how the result of Pile Load Test has been found satisfactory/safe in comparison to approved design/drawing has not been submitted by Supervision Consultant/Sr. Bridge Engineer despite repetitive request of the Employer.

प्रबंध निदेशक कोषाग  
आगत पत्र पंजीयन सं. ११३  
दिनांक. १६/०४/२०२१  
पत्र प्राप्ति की तिथि. १६/०४/२१  
पत्र सौदने की तिथि. १६/०४/२१

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2.1.2 Minor Bridge at Km 38+480:-This is 3-Span Minor Bridge. As per Team Leader, depth of all Piles except one Pile of Abutment-2 is according to design depth. In this regard, Team Leader further reported that bore had collapsed while driving the bore hole and due to which design depth of bore could not be achieved. Although, the said pile was rejected by the supervision consultant and Contractor was asked to submit design/drawing of additional pile, but Team Leader in its letter no.EI/TL/SH-82/Pkg-6/2019/303/483 dated-28.01.2020 candidly accepted that test pile has not been installed at said Minor Bridge location and thus ignored the requirement of conducting minimum 2 nos. of initial pile load test, which is against the provisions/requirement of technical specification.

2.1.3 With regard to above said Minor Bridges, Supervision Consultant was directed to submit the documents regarding Initial Pile Load Test Result/Analysis, Routine Pile Load test/Analysis etc., but consultant failed to submit the analysis of said documents. Moreover, while discussion, it seems that neither proper methodology and MORT&H Specification for Piling is being followed sincerely nor being proper documentation by Supervision Consultant.

2.1.4 RCC drain at Km 16(Rupo):-Supervision Consultant has approved three types of drawing for construction of RCC drain as under:-

- Single cage reinforcement in raft and vertical walls + double cage in drain cover
- Double cage reinforcement in raft, vertical walls and drain cover.
- Load bearing drain with the double cage reinforcement in raft, vertical walls and drain cover.

Whereas as per submitted RFI details, four types of reinforcement have been used in the construction as under:-

- Single cage reinforcement in raft and vertical walls + double cage in drain cover
- Single cage reinforcement in raft + double cage in vertical walls + double cage in drain cover
- Double cage reinforcement in raft, vertical walls and drain cover
- Load bearing drain with the double cage reinforcement in raft, vertical walls and drain cover.

But the supervision consultant neither submitted the reason of such type of construction nor submitted documents in this regard.

2.1.5 Inspected Team found that the Supervision Consultant was unable to submit the satisfactory reply to the questions raised by Hon'ble member. Accordingly, Team found following conclusion: -

- Sr. Bridge Engineer is recommending the submitted design/drawing of the Contractor without proper analysis/checking and Team Leader has approved such design/drawing without getting supporting documents.
- Resident Engineer has ignored the proper methodology and technical specification during execution on the site.
- Engineer is not inspecting the site regularly/ and his approach towards site monitoring is found casual.

2.1.6 Based on the above Deficiency of Services, Sr. Bridge Engineer, Sr. Material Engineer (the then Team Leader) and Resident Engineer were demobilized and penalty of 1 % of Contract Price was imposed pursuant to Clause 6 of TOR of Supervision Consultancy Contract vide letter no. BSRDC Ltd.3384/2020-4855 dated-15.12.2020.

2.2 Managing Director, BSRDCL inspected the site of SH-82(Kaditrganj-Khaira Road) on 23.03.2021 along with GM (Project-2), DGM, PIU Jamui, Team Leader

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and Resident Engineer of the Supervision Consultant. Managing Director observed that 7.0m wide road is being constructed after dismantling of 7.0 m wide existing road in Package-6, which is attracting unnecessary additional cost on the project by constructing same lane configuration after dismantling existing road without any road width improvement. In this regard, Team Leader was asked to explain the reason, but no satisfactory reply was given by the Team Leader. It was further observed that few trees are still standing within the formation width of constructed Road, which is very much objectionable. Team leader failed to explain the reason of such types of construction work. Overall, the Site was found ill managed, which shows improper supervision by the Consultancy services and especially poor performance of Team Leader in Supervision, Coordination and Site control. Team Leader has almost failed in Administration, Supervision, and implementation of the Project. Under above circumstances, Team Leader was terminated vide letter no.BSRDC Ltd.3063/2019-1136 dated-13.04.2021. Copy of Inspection Note dated-23.03.2021 is attached as Annexure-1.

2.3 CGM, BSRDCL inspected the site on 08.04.2021 along with GM (Project-2), DGM, PIU Jamui, Team Leader and Resident Engineer of the Supervision Consultant and found a number of defective works have been done under Supervision Consultant. Subgrade top and 1<sup>st</sup> layer of GSB (Drainage layer) to be provided up to embankment slope was found deficient at most of the locations wherever DBM has been laid. All defects appeared shows the poor supervision made by Key professional as a whole in SH-82. Inspection Note with photograph is attached as Annexure-2.

2.4 DGM(Tech.), PIU, Jamui has reported that no key personnel have visited the site except Team Leader (one day) & Resettlement & Rehabilitation Expert (one day) in the month of March'2021.

2.5 As per ToR of Supervision Consultancy Contract, Supervision Consultant is responsible for the supervision of all construction work and to make all necessary measurements and control the quality of works. Moreover, Supervision Consultant has to ensure that the construction should be done by the Contractor as per approved construction method for which Supervision Consultant has to monitor progress of the work as per technical specification, identify causes or potential causes of any delay and make all engineering decisions required for the successful and timely implementation of the Construction contract. But, the Supervision Consultant has not taken care of required specification/standards during said construction.

3. From above facts, it is clear that Supervision Consultancy firm have failed to discharge their obligation in accordance with Clause-20 of GCC of Supervision Consultancy Contract.

4. In view of above and after taking into consideration of all facts and records, M/s Egis International S.A. and Egis India consulting Engineers Pvt. Ltd., is hereby debarred from participating in all future tenders of BSRDCL till satisfaction of the services pursuant to clause 6 of TOR of Supervision Consultancy Contract.

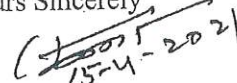
5. This letter is issued without prejudice to any other right or remedy available to the Employer/Authority

End: As above

Memo No. BSRDC Ltd-3384/2020 - 1180

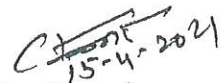
Copy to: DGM(Tech.), PIU, Jamui for information and necessary action.

Yours Sincerely,

( 15-4-2021)

(Sanjay Kumar)

Patna, dated. 15/4/2021

( 15-4-2021)  
(Sanjay Kumar)



Memo No. BSRDC Ltd-3384/2020 - 1180

Copy to: DGM(Proc.), ADB coordination, BSRDCL for information and necessary action.

Patna, dated. 15/4/2021

*(Signature)*  
15-4-2021

(Sanjay Kumar)

Patna, dated. 15/4/2021

Memo No. BSRDC Ltd-3384/2020 - 1180

Copy to: TA to Managing Director, BSRDCL for kind information.

*(Signature)*  
15-4-2021

(Sanjay Kumar)

**National Highways & Infrastructure Development Corporation Limited**  
**(Ministry of Road Transport & Highways, Government of India)**

**3<sup>rd</sup> Minutes of Meeting of Technical Bid Evaluation Committee (TEC) to evaluate the Technical bids for CONSULTANCY SERVICES FOR AUTHORITY'S ENGINEER FOR SUPERVISION OF**

**(I) Construction of Uni-Directional Khellani Tunnel of length 1.574 Km & its approach Road from Km 29.030 to Km 31.449 of total length of 2.419 Km on NH-244 in Union Territory of Jammu & Kashmir on EPC Mode.**

**&**

**(II) Construction & Upgradation to 2 lane with paved shoulder from Design Km. 31.449 (Khellani) (Ex. Km 44.946) to Km 51.700 (Prem Nagar) (Ex. Km 68+617) of 20.251 Km length on Khellani - Kishtwar - Chattroo section of NH-244 in the Union Territory of Jammu & Kashmir on EPC mode.**

**&**

**(III) Construction & Up gradation to 2 lane with paved shoulder from Design Km. 51.700 (Prem Nagar) to Km 66.535 (New Thathri) of 14.84 Km length on Khellani -Kishtwar -Chattroo section of NH-244 in the Union Territory of Jammu & Kashmir on EPC mode (Pkg -II).”.**

**Date: 28.07.2021 (3:00 PM)**

**Venue: PTI Building, 3<sup>rd</sup> Floor, Conference Hall, NHIDCL HQ, New Delhi.**

1. The following three firms submitted their bid for the subject project by due date and time :-

- i. M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.
- ii. M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.
- iii. M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.

2. The committee met on 26.07.2021 to evaluate the bids and found that all three bids were technically responsive. Thereafter, the technical evaluation result was uploaded on CPP portal and NHIDCL website on 26.07.2021. However, the committee again met on 27.07.2021, since a complaint was received against M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH about debarment of the Lead Partner by Bihar State Roads Development Corporation Ltd (BSRDC). Therefore, a revised technical result was uploaded on CPP Portal and NHIDCL website on 28.07.2021.

3. In response, M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH has submitted their representation on 28.07.2021 vide letter no. EGIS INDIA/71548/2021. The bidder has intimated that the BSRDC letter no. BSRDC Ltd.3384/2020-1180 dated 15.04.2021 vide which the firm was debarred had been set aside by the Hon'ble Patna High Court vide its order dated 15.06.2021 with respect to the Writ Petition no. 10539/2021. Further, the bidder has stated in his reply that as per the Court Order, a meeting was held on 05.07.2021 between M/s Egis India Consulting Engineers Pvt. Ltd. and CGM, BSRDCL to resolve the issue amicably. Following the meeting, it has been decided to conclude the outcome by 05.09.2021. Accordingly, the committee perused the Hon'ble High Court Order and decided that since there was no debarment of the firm as on date, the technical evaluation result was revised as per Para 4 below. However, the committee decided that the bidder is eligible for opening of financial proposal provisionally. In the event of the above mentioned debarment holding good after 05.09.2021, suitable action as applicable will be initiated by the Authority against the firm.

4. In view of the above, TEC agreed and recommended that all 03 (three) bidders qualify for the next stage of evaluation i.e. Evaluation of Financial Proposal as follows :-

Sr. No.	Name of Bidder	Eligible for Financial Opening
1	M/s Segmental Consulting and Infrastructure Advisory Pvt. Ltd. in JV with SA Infrastructure Consultants Pvt. Ltd.	Eligible for opening of financial proposal
2	M/s RITES Limited in Association with SPACE Engineers Consortium Pvt. Ltd.	Eligible for opening of financial proposal
3	M/s Egis India Consulting Engineers Pvt. Ltd. in JV with Consulting Engineers Group Ltd. in Association with SRIINFOTECH.	Eligible for opening of financial proposal provisionally

Meeting ended with vote of thanks to the Chair.



Sh. Bhaskar Mallick  
Manager (Fin.)  
(Member)



Sh. B. Shivprasad  
GM (Tech.)  
(Member Secretary)



Sh. Pankaj Grover  
GM (Tech.)  
(Member)



Sh. Ajay Ahluwalia  
Executive Director-I (LO)  
(Chairman)



Ref: EGIS INDIA/ 71548/2021

Date: 28.07.2021

From:

To:

Egis India Consulting Engineers Pvt Ltd.  
Egis Tower, Plot No. 66, Sector - 32,  
Gurugram, Haryana-122001, India  
Tel: +91 124 4249200, Fax: +91 124 4249299  
E-mail: [egis-india@egis-india.com](mailto:egis-india@egis-india.com)

Shri B. Shivprasad  
General Manager (T)  
NHIDCL, 2<sup>nd</sup> Floor, PTI Building,  
4-Parliament Street, New Delhi.  
Email id: [Shivprasad.152p@gov.in](mailto:Shivprasad.152p@gov.in)

SUB: Consultancy Services for Authority's Engineer for EPC work of:

- i. Construction of Uni-Directional Khellani Tunnel of length 1.574 Km & its approach Road from Km 29.030 to Km 31.449 of total length of 2.419 Km on NH-244 in Union Territory of Jammu & Kashmir on EPC Mode. &
  - ii. Construction & Upgradation to 2 lane with paved shoulder from Design Km. 31.449 (Khellani) (Ex. Km 44.946) to Km 51.700 (Prem Nagar) (Ex. Km 68+617) of 20.251 Km length on Khellani – Kishtwar – Chattroo section of NH-244 in the Union Territory of Jammu & Kashmir on EPC mode. &
  - iii. Construction & Up gradation to 2 lane with paved shoulder from Design Km. 51.700 (Prem Nagar) to Km 66.535 (New Thathri) of 14.84 Km length on Khellani – Kishtwar – Chattroo section of NH-244 in the Union Territory of Jammu & Kashmir on EPC mode (Pkg –II).
- Response on Declared Technical Evaluation Result.

Ref: Tender ref. no. NHIDCL/JK/NH-244/G-K-K/AE (GK3, KK1, KK2)/2021-22

Respected Sir,

With respect to our above submission, we have received a technical evaluation result stating that our consortium is disqualified because of debarment from BSRDC.

We hereby state that the debarment letter issued by BSRDCL accordingly, Egis had filed a Writ Petition bearing WP No. 10539/2021 before the Hon'ble Patna High Court against this order passed by BSRDCL. Vide its judgment and order dated 15.06.2021, the Hon'ble High Court was pleased to quash and set-aside the said letter (enclosed copy of the same).

Therefore, as on date, there is no debarment in existence and the specific BSRDCL order dated 15.04.2021 already stands quashed.

Moreover, in compliance to point no. 10 of Judgment order dated 15.06.2021, a meeting was held on 05.07.2021 between Egis and BSRDCL to resolve the issues amicably as per court order and directed to conclude the outcomes by 05.09.2021.

Hence as per your Technical evaluation result dated 26<sup>th</sup> July 2021, we hereby request you to consider our technical proposal valid and open our financial proposal on 30<sup>th</sup> July 2021 at 12.00 a.m.

Egis India Consulting Engineers Pvt. Ltd.

An ISO 9001: 2015 Certified Company

Corporate Office: Plot no. 66, Sector-32, Gurgaon, Haryana-122001, India, Tel: +91 124 4249200, Fax: +91 124 4249499

E-mail: [egis-india@egis-india.com](mailto:egis-india@egis-india.com), Website: [www.egis-india.com](http://www.egis-india.com)

Regd. Office: T-305, TF, Tirupati Plaza, Sector-XI, (MLU) PKT-4, Plot No. 11, Dwarka, New Delhi-110075, India Tel: +91 11 4570 4300

CIN: U74210DL2005PTC221585







Kindly note that if our technical proposal is disqualified due to the issue of debarment of BSRDC, then this would disobey of the order passed by Hon'ble High Court and against the same we would exercise our rights to protest cancelation of bidding process. We request you to take cognizance of the order passed by the Hon'ble Patna High Court and consider the proposal of Egis as no debarment exists as on date.

A copy of the order passed by the Hon'ble High Court is attached herewith for your perusal and record.

We trust you will consider above request and confirm that our technical proposal is qualified and financial proposal would be opened on the scheduled date and time.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'V. K. Pedgaonkar', is written over a circular stamp. The stamp contains the text 'Egis India Consulting Engineers Pvt. Ltd.' around the perimeter and a stylized '@' symbol in the center.

Authorized Signatory

Vidyasagar K Pedgaonkar

Egis India Consulting Engineers Pvt. Ltd.

Egis Tower, Plot No. 66, Sector - 32, Gurugram, Haryana-122001, India

Tel: +91 124 4249200, Fax: +91 124 4249299, E-mail: [egis-india@egis-india.com](mailto:egis-india@egis-india.com)

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10539 of 2021**

1. M/s Egis India Consulting Engineers Pvt. Ltd. a company registered under the Companies Act 1956/2013 Having its registered office at \_ T 305, TF, Tirupati Plaza, Sector XI, (MLU) Pocket 4, Plot No. 11, Dwarka, New Delhi- 110075. Also at Plot No. 66, Sector 32, S/DIV Gurugram Haryana \_ Through its Authorised Representative Mr. Ashwini Kumar, (Male) Aged about 32 years S/o Kameshwar Prasad \_ R/o 56, Sardar Patel Colony, near SanichraAsthan, Sandalpur Road No. 3 PO Mahendru, P.S. Sultanganj, District - Patna, Bihar - 800006.
2. M/s Egis International S.A.S. a company incorporated under the laws of France Having its registered office at -T 305, TF, Tirupati Plaza, Sector XI, (MLU) Pocket \_ 4, Plot No. 11, Dwarka, New Delhi - 110075, Through its Authorised Representative Mr. Ashwini Kumar, (Male) Aged about 32 years S/o Kameshwar Prasad R/o 56, Sardar Patel Colony, near SanichraAsthan, Sandalpur Road No. 3, P.O.- Mahendru, P.S.- Sultanganj, District - Patna, Bihar - 800006.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Bihar State Road Development Corporation Ltd Through its Managing Director, Central Mechanical Workshop Campus, Near Airport, Sheikhpura, Patna.
4. The Managing Director, Bihar State Road Development Corporation Ltd., Patna.
5. The Chief General Manager, Bihar State Road Development Corporation Ltd, Patna.

... .. Respondent/s

**Appearance :**

For the Petitioner/s	:	Mr. P K Shahi, Senior Advocate with Mr. Brisketu Sharan Pandey, Advocate
For the Respondent/s	:	Mr. Uday Shankar Sharan Singh, GP 19 with Mr. Uday Bhanu Singh, AC to GP 19
For the BSRDCL	:	Mr. Lalit Kishore, Senior Advocate with Mr. Manish Dhari Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date : 15-06-2021**

The matter has been heard *via* video conferencing.



2. Heard Mr. P K Shahi, learned senior counsel along with Mr. Brisketu Sharan Pandey, learned counsel for the petitioners; Mr. Uday Shankar Sharan Singh, learned GP 19 along with Mr. Uday Bharu Singh, learned AC to GP 19 for the State and Mr. Lalit Kishore, learned senior counsel along with Mr. Manish Dhari Singh, learned counsel for the Bihar State Road Development Corporation Ltd. (BSRDCL).

3. The petitioners have moved the Court for the following reliefs:

- a. *For quashing and setting aside the debarment order issued vide letter BSRDC Ltd.3384/2020-1180 Patna dated 15.04.2021 issued under signature of the Chief General Manager (Respondent No. 5), as contained in Annexure P1, by which petitioners have been debarred from participating in all future tenders of the Respondent No. 5 in the most arbitrary manner, contrary to principles of natural justice, illegally as well as having without jurisdiction.*
- b. *For declaring that the action of the Respondent No. 5 is arbitrary, malafide, malicious, colourable exercise of power, violation of principles of natural justice as well as without jurisdiction.*
- c. *For further passing such an order or orders for which the petitioners are entitled under the law in the facts and circumstances of this case.'*

4. Learned senior counsel for the petitioners submitted that the order impugned has been passed visiting



them with serious civil consequences without giving any opportunity or show cause to explain, which is totally impermissible in law.

5. On a response sought by the Court on this short point, learned senior counsel for BSRDCL submitted that the matter be remanded to the author of the order dated 15.04.2021 (respondent no. 5), which is impugned in the present writ application (Annexure- P/1), for passing a fresh order.

6. Learned counsel for the petitioners readily agreed to the same. However, he submitted that the Court may indicate that opportunity of hearing, including personal hearing, be given before a fresh decision is taken by the respondent no. 5 in the matter.

7. In view of the aforesaid agreed position, the writ petition stands disposed off by setting aside the order dated 15.04.2021 issued by the respondent no. 5 under Letter No. BSRDC Ltd.3384/2020-1180, Patna. He shall pass a fresh order, in accordance with law, after giving an opportunity of hearing, including personal hearing, if so desired by the petitioners, within two months from today.

8. At this juncture, learned counsel submitted that the first day when the petitioners would appear before the



respondent no. 5 be indicated so that the matter is expedited and not left pending.

9. The Court finds substance in the suggestion.

10. Accordingly, as agreed between the parties, the petitioners shall appear before the respondent no. 5 at 11.00 AM in his office on 5<sup>th</sup> July, 2021. Upon doing so, the respondent no. 5 shall fix a date when he shall afford hearing to the petitioners and thereafter the matter shall be concluded within two months by the respondent no. 5 by passing a fresh order, in accordance with law.

11. It goes without saying that respondent no. 5 shall serve a formal show cause notice on the petitioners on the day of appearance so that they are able to reply.

12. The Court would clarify that it has not expressed any opinion on the merits of the matter.

(Ahsanuddin Amanullah, J)

Anjani/-

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