

CONFIDENTIAL

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.2020/RE/240/1 (Shyam)

New Delhi, Dated: 23.05.2022

The General Managers, All Indian Railways, CORE, PUs
PCEEs and FA&CAOs, All Indian Railways and PUs
CAOs-DLMW/Patiala and COFMOW/ New Delhi
Chief Vigilance Officers, All Indian Railways and PUs

Sub: Banning of Business dealing with M/S. Shyam Takniki Udyog, Bhuli Road, Post Box No. 31, Dhanbad 826 001 & M/s. Techno Power Enterprises Pvt Ltd, Mollu villa, Nepali Basti, PO. Dimapur-797112, Nagaland

**Ref: (i) Judgement of Hon'ble High Court Delhi in W.P.(C)/2035&3666/2021.
(ii) Board's letter No. 2019/RE/240/1 (Shyam) dated 09.02.2021**

Reference Board's letter dated 09.2.2021, it has been decided to banning of business dealing with M/S. Shyam Takniki Udyog, Bhuli Road, Post Box No. 31, Dhanbad 826 001 & M/s. Techno Power Enterprises Pvt. Ltd, Mollu villa, Nepali Basti, PO. Dimapur-797112, Nagaland on **all Indian Railways & Production Units etc. under the Ministry of Railways for a period of five (05) years.**

After the banning of business dealings with M/s Shyam Takniki Udyog and M/s. Techno Power Enterprises have approached the Hon'ble High Court. Hon'ble High Court in the Judgement order has directed that the impugned order dated 09.02.2021 is set aside. The matter remitted to the competent authority to pass a fresh speaking order, on the Memorandum of Charges dated 23.10.2020, after affording an opportunity of personal hearing to the petitioners and taking into account their responses.

Accordingly, GM/CORE granted an opportunity of personal hearing to M/s. Shyam Takniki Udyog (STU) and M/s. Techno Power Enterprises Pvt. Ltd (TPEPL) CORE/Prayagraj on 11.4.2022. After the personal hearing of the petitioners, considering the facts of the case, Judgement of Hon'ble High Court of Delhi, recommendation of GM/CORE, it has been decided by Ministry of Railways (Railway Board) with the approval of the competent authority to reduce the banning period with M/S. Shyam Takniki Udyog, Bhuli Road, Post Box No. 31, Dhanbad 826 001 & M/s. Techno Power Enterprises Pvt Ltd, Mollu villa, Nepali Basti, PO. Dimapur-797112, Nagaland, **on all Indian Railways and Production Units etc. under the Ministry of Railways from 5 years to 2 years (i.e. 24 months) duly giving credit for the period 09.02.2021 to 08.02.2022, as directed by Hon'ble High Court of Delhi.**

Therefore, the banning will be effective for two years (02) from the date of issue of banning letter dated 09.02.2021 (i.e. 09.2.2021 to 08.02.2023).

Bodh
23.05.22

((Bhupender Singh Bodh)
Executive Director, Railway. Electrification
Railway Board

No.2020/RE/240/1 (Shyam)

New Delhi, Dated: 23.05.2022

Copy to:

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2. M/S. Shaym Takniki Udyog, Bhuli Road, Post Box No.. 31, Dhanbad 826 001.
3. M/s. Techno Power Enterprises Pvt Ltd, Mollu villa, Nepali Basti, PO. Dimapur- 797112, Nagaland

Distributions :

1. Director General/RDSO, Manak Nagar, Lucknow.
2. Director General/NAIR, Vadodara
3. Chief Commissioner of Railway Safety, Ashok Road, Lucknow.
4. Dy. Director (Registration), Ministry of Commerce,
5. Dy. Director (Registration), Director General Supply and Disposal 20, Ashoka Road, Janpath, Sansad Marg, New delhi 110001.
6. DIG(P), CBI New Delhi.

The Directors :

7. RICEN, Rail Path, Pune-44001 (Maharashtra).
8. IRIEEN, P.B. No. 233, Nasik Road-42210 (Maharashtra).
9. IRISSET, Tara Naka Road, Lalla Guda, Secunderabad.
10. IRIMEE, Jamalpur Distt. Jamalpur-811241 (Bihar)
11. MD/Rail Vikas Nigam Ltd., August Kranti Bhawan, Bhikajikama Place, New Delhi.
12. MD/IRCON & CMD/RITES
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14. CMD/MRVC 2nd floor, Churchgate station bldg., Mumbai.
15. CMD/Konkan Railway Corporation Limited, Belapur Bhavan, Plot No. 6, Sector-11, CDB belapur Navi Mumbai 400 614.

General Secretaries :

16. General Secretary, IRCA, DRM office, New Delhi
17. General Secretary, AIRF, Rail Bhawan, New Delhi
18. General Secretary, NFIR, Rail Bhawan, New Delhi
19. General Secretary, IRPOF, Rail Bhawan, New Delhi
20. General Secretary, FROA, Rail Bhawan, New Delhi
21. AIRPFA, Rail Bhawan, New Delhi
22. The Secretary, RBSS, Group (A) Officers Association
23. The Secretary, RBSS, Group (B) Officers Association
24. The Secretary, Railway Board Ministerial Staff Association.
25. The Secretary, Railway Board Group (D) Employees Association.

No.2020/RE/240/1 (Shyam)

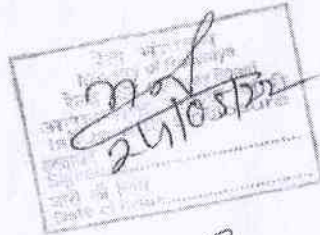
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Bodh
23.05.22

(Bhupender Singh Bodh)
Executive Director, Railway Electrification
Railway Board.



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Bodh

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GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.2019/RE/240/1 (Shyam)

New Delhi, Dated: 02.02.2021

The General Managers, All Indian Railways, CORE, PUs
PCEEs and FA&CAOs, All Indian Railways and PUs
CAOs-DLMW/Patiala and COFMOW/ New Delhi
Chief Vigilance Officers, All Indian Railways and PUs.

Sub: Banning of Business dealing with M/S. Shaym Takniki Udyog, Bhuli Road, Post Box No.. 31, Dhanbad 826 001 & M/s. Techno Power Enterprises Pvt Ltd, Mollu villa, Nepali Basti, PO. Dimapur- 797112, Nagaland.

M/S. Shaym Takniki Udyog, Bhuli Road, Post Box No.. 31, Dhanbad 826 001 & M/s. Techno Power Enterprises Pvt Ltd, Mollu villa, Nepali Basti, PO. Dimapur- 797112, Nagaland. were served Memorandum cum Show cause Notice vide letter No. 2020/RE/240/1 (Shyam) dated 21.10.2020 served through CORE/Prayagraj. In the said Show Cause notice, Ministry of Railways had proposed to ban business dealings with M/S. Shaym Takniki Udyog, Bhuli Road, Post Box No.. 31, Dhanbad 826 001 & M/s. Techno Power Enterprises Pvt Ltd, Mollu villa, Nepali Basti, PO. Dimapur- 797112, Nagaland. on **all Indian Railways & Production Units etc. under the Ministry of Railways for a period of five (05) years.**

M/s. Shyam Takniki Udyog & M/s Techno Power Enterprises Pvt Ltd JV participated in tender No.ELCORE-OHE-TSS-Gr-302, Dated 10.12.2019 invited by Central Organization for Railway Electrification/Prayagraj with M/s Shyam Takniki Udyog as Lead member of the JV having 51% share and M/s Techno Power Enterprises Private Limited as other member of the JV having 49% share in the JV firm.

M/s. Shyam Takniki Udyog & M/s Techno Power Enterprises Pvt Ltd JV has submitted FORM-12D (Details of existing commitment and balance amount of ongoing works) for both the members of the JV in support of their eligibility against BID CAPACITY criteria of the tender.

During verification of the submitted FORM-12D of the Lead member, M/s ShyamTakniki Udyog by the concerned Chartered Accountant firm i.e. Amit Dalmia & Associates Chartered Accountants, the said firm denied issuing/verifying any such certificate in favour of M/s Shyam Takniki Udyog and further declared that the signature & stamp on the said certificate is not being put by their firm.

M/s. Shyam Takniki Udyog & M/s Techno Power Enterprises Pvt Ltd JV were called for physical verification of the documents submitted from original at CORE/Prayagraj Office and authorized representative of the JV appeared in the CORE office but failed to produce the original of FORM-12D.

...2/----

Based on the reply of CA Amit Dalmia & Associates and joint note for physical verification of document from its original, it was concluded that the JV firm M/s. Shyam Takniki Udyog & M/s Techno Power Enterprises Pvt Ltd JV had submitted forged/false document i.e. Details of existing commitment and balance amount of ongoing works (FORM-12D) in support of their eligibility against BID CAPACITY criteria of the tender.

Accordingly action against the bidder in terms of clause 13 (a) (vi) of Preamble of the tender document and Para 8 of the notarized affidavit is proposed to be taken which is forfeiture of EMD besides banning of business with JV and both the members of the JV.

It has, therefore been decided by Ministry of Railways (Railway Board) to give effect to the Order to ban future business dealings M/S. Shaym Takniki Udyog, Bhuli Road, Post Box No.. 31, Dhanbad 826 001 & M/s. Techno Power Enterprises Pvt Ltd, Mollu villa, Nepali Basti, PO. Dimapur- 797112, Nagaland. on all Indian Railways and Production Units etc. under the Ministry of Railways for a period of five (05) years with immediate effect from the date of issue of this letter.

(M/S. Shaym Takniki Udyog, Bhuli Road, Post Box No.. 31, Dhanbad 826 001 & M/s. Techno Power Enterprises Pvt Ltd, Mollu villa, Nepali Basti, PO. Dimapur- 797112, Nagaland.)


09.02.21
(Bhupender Singh Bodh)
Executive Director, Railway. Electrification
Railway Board.

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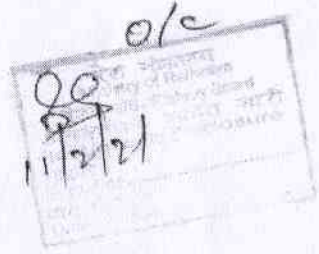
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Pl. Issue
10.02.2021

o/c
11/2/21



Bodh 09.02.21

(Bhupender Singh Bodh)
Executive Director, Railway. Electrification
Railway Board.

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CMD Office, RITES
Received on: 25/05/22
Date: 02/06/22 No. 203

CONFIDENTIAL

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

No.2020/RE/240/1 (Shyam)

New Delhi, Dated: 23. 05.2022

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Therefore, the banning will be effective for two years (02) from the date of issue of banning letter dated 09.02.2021 (i.e. 09.2.2021 to 08.02.2023).

(Signature)
23.05.22
((Bhupender Singh Bodh))
Executive Director, Railway. Electrification
Railway Board

CMD
DP
ED/B2A -
Tender Policy Cell

For needful action

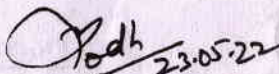
Advisor
CPE-R&E II
3/6/22

No.2020/RE/240/1 (Shyam)

New Delhi, Dated: 23 . 05.2022

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