RITES
THE INFRASTRUCTURE PEOPLE
AN ISO 9001 COMPANY
CIN - L74899DL1974GOI007227

राइट्स लिमिटेड
(भारत सरकार का प्रतिष्ठान)
रेलवे मंत्रालय
RITES LIMITED
(A Govt. of India Enterprises
Ministry of Railway)

BY. REGD. POST/SPEED POST/COURIER

No: RITES/PU-Ranchi/PVUNL/2023/323
Date: 03.08.2023

To,

M/s HCPL-MBPL Joint Venture (JV)
Roy & Co. Building,
Station Road, Deoghar,
Jharkhand-814112

Sub : Intimation of Banning of Business Dealings

Dear Sir,

Whereas the work of "Railway formation work including construction of bridges, Supply of all P.way materials excluding rails, dismantling of existing tracks, laying of new track, supply and installation of in-motion weigh bridge and other ancillary works in connection with the proposed Railway Siding system for Patratu STPP, Phase-I (3x800MW) Project of PVUNL, Dist.- Ramgarh, Jharkhand" was awarded to your firm vide letter of award no. RITES/RPO-Ranchi/PVUNL-PKG-II (Civil)/2022/290 dt. 08.04.2022 amounting to Rs. 890910076/-

Whereas there are serious allegations made against you for an offences committed under Sec 120B of IPC and Section 7 & 8 of the Prevention of Corruption of Corruption Act, 1988 with reference to FIR dated 02.06.2022 and wherein it was decided to initiate further action as provided in Guidelines on banning of Business Dealings.

Whereas in terms of the 'Guidelines on Banning of Business Dealings' given in Annexure 'VI' to the Integrity Pact between RITES Ltd. and you, a show cause notice was issued to you vide letter No. RITES/PU-Ranchi/PVUNL/2023/52 dated 09.02.2023 asking you to submit your written statement of defence within 30 days.

Whereas your reply to the Show Cause Notice was received vide your letter no. HCPL-MBPL/170/22-23 dated 05.03.2023.

After detailed consideration of the matter by the Banning Committee and on considering the recommendations of the Banning Committee, the Competent Authority has decided to ban all business dealings with you for a period of 2 years, w.e.f 08.02.2023, the date on which letter of suspension of business dealings was issued by this office on account of the following grounds:

a. Because the allegations made in the FIR and chargesheet are of serious in nature.

b. Because during the execution of the project, the agencies have been involved in unlawful acts including improper conduct and basis such allegations, the aforesaid agencies have been involved in bribery as well as corruption.

c. Because, from the terms and conditions of the bid, both MBPL and HCPL shall be jointly and solely responsible and liable to the employer and hence besides JV individual partners also holds the responsibility towards the employer.

d. Because such unlawful acts committing an offence of serious nature will erode the trust and confidence of the bidding process and hence strict action should be taken against such offenders.

e. Because, RITES Guidelines for Banning of Business Dealing, enumerates 11 grounds on which banning of business dealing can be initiated wherein sub clause 6.3 & sub clause 6.9 under clause 6 provided under the Guidelines on Banning of Business Dealings stipulates as under:

(6.3) ***"If there is strong justification for believing that the Directors, Proprietors, Partners owner of the Agency have been guilty of malpractices such as bribery, corruption, fraud, substitution of tenders, interpolations, etc."***

(6.9) ***"Based on the findings of the investigation report of CBI/Police against the Agency for malafide/unlawful acts or improper conduct on his part in matters relating to the Company (RITES) or even otherwise."***

Further, please acknowledge receipt of this letter.

Appellate Authority: CMD/RITES

Yours faithfully,

(D.S. Negi)
General Manager (P)

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राइट्स लिमिटेड
(भारत सरकार का प्रतिष्ठान)
रेलवे मंत्रालय
RITES LIMITED
(A Govt. of India Enterprises
Ministry of Railway)

BY. REGD. POST/SPEED POST/COURIER

No: RITES/PU-Ranchi/PVUNL/2023/321
Date: 03.08.2023

To,

M/s Hardev Construction Pvt. Ltd. (HCPL)
Station Road,
Deoghar,
Jharkhand-814112

Sub : Intimation of Banning of Business Dealings

Dear Sir,

Whereas the work of "Railway formation work including construction of bridges, Supply of all P.way materials excluding rails, dismantling of existing tracks, laying of new track, supply and installation of in-motion weigh bridge and other ancillary works in connection with the proposed Railway Siding system for Patratu STPP, Phase-I (3x800MW) Project of PVUNL, Dist.- Ramgarh, Jharkhand" was awarded to your firm vide letter of award no. RITES/RPO-Ranchi/PVUNL-PKG-II (Civil)/2022/290 dt. 08.04.2022 amounting to Rs. 890910076/-

Whereas there are serious allegations made against you for an offences committed under Sec 120B of IPC and Section 7 & 8 of the Prevention of Corruption of Corruption Act, 1988 with reference to FIR dated 02.06.2022 and wherein it was decided to initiate further action as provided in Guidelines on banning of Business Dealings.

Whereas in terms of the 'Guidelines on Banning of Business Dealings' given in Annexure 'VI' to the Integrity Pact between RITES Ltd. and you, a show cause notice was issued to you vide letter No. RITES/PU-Ranchi/PVUNL/2023/52 dated 09.02.2023 asking you to submit your written statement of defence within 30 days.

Whereas your reply to the Show Cause Notice was received vide your letter no. HC/321/2022-23 dated 05.03.2023.

After detailed consideration of the matter by the Banning Committee and on considering the recommendations of the Banning Committee, the Competent Authority has decided to ban all business dealings with you for a period of 2 years, w.e.f. 08.02.2023, the date on which letter of suspension of business dealings was issued by this office on account of the following grounds:

a. Because the allegations made in the FIR and chargesheet are of serious in nature.

b. Because during the execution of the project, the agencies have been involved in unlawful acts including improper conduct and basis such allegations, the aforesaid agencies have been involved in bribery as well as corruption.

c. Because, from the terms and conditions of the bid, both MBPL and HCPL shall be jointly and solely responsible and liable to the employer and hence besides JV individual partners also holds the responsibility towards the employer.

d. Because such unlawful acts committing an offence of serious nature will erode the trust and confidence of the bidding process and hence strict action should be taken against such offenders.

e. Because, RITES Guidelines for Banning of Business Dealing, enumerates 11 grounds on which banning of business dealing can be initiated wherein sub clause 6.3 & sub clause 6.9 under clause 6 provided under the Guidelines on Banning of Business Dealings stipulates as under:

(6.3) ***"If there is strong justification for believing that the Directors, Proprietors, Partners owner of the Agency have been guilty of malpractices such as bribery, corruption, fraud, substitution of tenders, interpolations, etc."***

(6.9) ***"Based on the findings of the investigation report of CBI/Police against the Agency for malafide/unlawful acts or improper conduct on his part in matters relating to the Company (RITES) or even otherwise."***

Further, please acknowledge receipt of this letter.

Appellate Authority: CMD/RITES

Yours faithfully,

(D.S. Negi)
General Manager (P)

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THE INFRASTRUCTURE PEOPLE
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राइट्स लिमिटेड
(भारत सरकार का प्रतिष्ठान)
रेलवे मंत्रालय
RITES LIMITED
(A Govt. of India Enterprises
Ministry of Railway)

BY. REGD. POST/SPEED POST/COURIER

No: RITES/PU-Ranchi/PVUNL/2023/322
Date: 03.08.2023

To,

M/s Mehrotra Buildcon Pvt. Ltd. (MBPL)
Registered Office at 9, Rewa
Industrial Area Road,
Satna, MP- 485001

Sub : Intimation of Banning of Business Dealings

Dear Sir,

Whereas the work of "Railway formation work including construction of bridges, Supply of all P.way materials excluding rails, dismantling of existing tracks, laying of new track, supply and installation of in-motion weigh bridge and other ancillary works in connection with the proposed Railway Siding system for Patratu STPP, Phase-I (3x800MW) Project of PVUNL, Dist.- Ramgarh, Jharkhand" was awarded to your firm vide letter of award no. RITES/RPO-Ranchi/PVUNL-PKG-II (Civil)/2022/290 dt. 08.04.2022 amounting to Rs. 890910076/-

Whereas there are serious allegations made against you for an offences committed under Sec 120B of IPC and Section 7 & 8 of the Prevention of Corruption of Corruption Act, 1988 with reference to FIR dated 02.06.2022 and wherein it was decided to initiate further action as provided in Guidelines on banning of Business Dealings.

Whereas in terms of the 'Guidelines on Banning of Business Dealings' given in Annexure 'VI' to the Integrity Pact between RITES Ltd. and you, a show cause notice was issued to you vide letter No. RITES/PU-Ranchi/PVUNL/2023/52 dated 09.02.2023 asking you to submit your written statement of defence within 30 days.

Whereas your reply to the Show Cause Notice was received vide your letter no. MBPL/RITES/2022-23/1998 dated 28.02.2023.

After detailed consideration of the matter by the Banning Committee and on considering the recommendations of the Banning Committee, the Competent Authority has decided to ban all business dealings with you for a period of 2 years, w.e.f. 08.02.2023, the date on which letter of suspension of business dealings was issued by this office on account of the following grounds:

a. Because the allegations made in the FIR and chargesheet are of serious in nature.

b. Because during the execution of the project, the agencies have been involved in unlawful acts including improper conduct and basis such allegations, the aforesaid agencies have been involved in bribery as well as corruption.

c. Because, from the terms and conditions of the bid, both MBPL and HCPL shall be jointly and solely responsible and liable to the employer and hence besides JV individual partners also holds the responsibility towards the employer.

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(6.3) ***"If there is strong justification for believing that the Directors, Proprietors, Partners owner of the Agency have been guilty of malpractices such as bribery, corruption, fraud, substitution of tenders, interpolations, etc."***

(6.9) ***"Based on the findings of the investigation report of CBI/Police against the Agency for malafide/unlawful acts or improper conduct on his part in matters relating to the Company (RITES) or even otherwise."***

Further, please acknowledge receipt of this letter.

Appellate Authority: CMD/RITES

Yours faithfully,

(D.S. Negi)
General Manager (P)