



ईस्टर्नकोलफील्ड्स लिमिटेड
Eastern Coalfields Limited
(कोल इंडिया की एक अनुषंगी)
(A Subsidiary of Coal India Limited)
(भारत सरकारका एक उपक्रम)
(A Govt. of India Undertaking)

Ref No: ECL/KC/AGT/2023/02

Date:01/01/2024

To,
M/s STA-BGM & M-SRSC(JV)
Amdiha, Lalganj, Dist: P/Bardhman
West Bengal-713359.
Email ID: bswjt75@gmail.com

- Ref No:** i) NIT :ECL/HQ/CMC/e-tender/Kapasara OC Patch/255 dated: 12-05-2018
ii) Bidder ID:305095
iii) Tender ID No:2018_ECL_103203_1
iv) LOA:ECL/HQ/CMC/LOA/Kapasara OC Patch/443, Dated:01/08/2018
V) Work Order No.: ECL/HQ/CMC/WO/Kapasara OC Patch/600 Dated: 15.09.2018
Vi) This office notice of termination no. ECL/KC/AGT/2023/464 Dated: 04/10/2023
vii) This office letter no. ECL/KC/AGT/2023/524 Dated: 28.10.2023

Sub: Termination of contract w.e.f. 30-06-2023 for the work of "Hiring HEMM for removal & transportation of 144.68 L.cum of OB(including 10.00 L.cum of Re-handling of OB), extraction & transportation of 37.95 L.Te of coal and 146.10 L.cum of back filling of OB at Kapasara OC patch under Mugma Area(7 years production + 3 years backfilling)" and banning of business for 12 months of all joint venture(JV) partners along with imposing penalty as per terms and conditions of theNIT.

Dear Sir,

You were awarded the contract/work of "Hiring HEMM for removal & transportation of 144.68 L.cum of OB(including 10.00 L.cum of Re-handling of OB), extraction & transportation of 37.95 L.Te of coal and 146.10 L.cum of back filling of OB at Kapasara OC patch under Mugma Area(7 years production + 3 years backfilling)" as per work order no. **ECL/HQ/CMC/WO/Kapasara OC Patch/600 Dated: 15.09.2018.**

ECL Management has accorded approval on following action(s) against you with reference to above:

- Termination of the instant contract w.e.f. 30-06-2023 under clause No. 9 (a) & 9 (b) of Section II of GTC of the Contract Agreement.
- To recover loss/damage suffered from the contractor and impose penalty as per terms and conditions of the NIT by the Engineer In-charge.

Hence as per directives of competent authority following may be noted as "**ORDER**" with respect to the said contract:

- Termination of the contract for the subject work awarded to M/S STA-BGM & M-SRSC(JV) w.e.f. 30-06-2023 as per clause no. 9 of GTC.
- Banning of the business for the period of 12 months to all JV partners i.e i) M/s Sharma Transport Agency ii) M/s Biswajit Ghosh Mining & Movers iii) M/s Shree Rani Sati Carriers as per clause no. 9.2(c) of GTC of Contract Agreement.
- Recovery of penalty including but not limiting to as per clause No. 9.2(c) of GTC for the approved value of Rs 29,61,32,571.42 Which will be recovered by forfeiting PSD and additional PSD submitted as BG amounting 5,51,52,271.00(Rupees Five crore fifty-one lakhs fifty two thousand two-hundred sevent-one and apisa zero only) in first instance and **balance** amount will be recovered as per clause 9.2(c) (ii) of GTC of agreement quoted below:
Details of BG is given below in the tabulated form:

----- पंजीकृत कार्यालय /Regd. Office -----

Agent, Kapasara Group of Mines,P.O. Mugma, Dist. Dhanbad (JH), PIN-828204
Mob:9434796730, ई / मेल-E-mail : anand.prakash@coalindia.in



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S L N o.	Name of the Party	Bank deatails	Branch Name	Nature og BG	BG No.	LOA/Wor k Order	BG Date	BG Validity	BG Amount(Rs)
1	M/S STA- BGM & M- SRSC(JV)	HDFC Bank	Raniganj	Perfor mance		ECL/HQ/ CMC/LO A/KAPAS ARA OC PATCH/4 43	17-08-2018	17-08-2028	66,15,241.00
2	M/S STA- BGM & M- SRSC(JV)	ICICI Bank	Dhanbad		0175B GFD00 4819	ECL/HQ/ CMC/LO A/KAPAS ARA OC PATCH/4 43	21-08-2018	31-08-2028	97,00,000.00
3	M/S STA- BGM & M- SRSC(JV)	ICICI Bank	Dhanbad		0175B GFD00 4719	ECL/HQ/ CMC/LO A/KAPAS ARA OC PATCH/4 43	21-08-2018	31-08-2028	1,45,00,000.00
4	M/S STA- BGM & M- SRSC(JV)	ICICI Bank	Dhanbad		0175B GFD00 4919	ECL/HQ/ CMC/LO A/KAPAS ARA OC PATCH/4 43	23-08-2018	31-08-2028	2,43,37,030.00
Total amount of Bank Guarantee									5,51,52,271.00

Also Security deposit available is Rs 1,72,73,410.00 (Rupees one crore seventy two lakh seventy three thousand four-hundred ten only).

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Quote:

“ The amount to be recovered from the contractor as determined above shall without prejudice to any other right or remedy available to the employer as per law or as per agreement, will be recovered from any money due to the contractor on any account or under any other contract and in the event of any shortfall, the contractor shall be liable to pay the same within 30 days. In case of failure to pay the same amount shall be debt payable.”

However, actual penalty as per relevant applicable clauses of terms and conditions will be ascertained after final measurement by CMPDIL on actual executed quantity basis and recovery of the same will be made accordingly.

This letter is issued with due approval from competent authority.

AFM
01/01/2024

Agent/Engineer In-Charge
Kapasara (H) OC Patch
Mugma Area

copy to:-

- 1) Manager, Kapasara OCP
- 2) Asst. Manager(F), Kapasara OCP
- 3) Asst. Manager(P), Kapasara OCP
- 4) Colliery Engineer, Kapasara OCP
- 5) Asst. Manager(Survey), Kapasara OCP

copy forwarded for kind information & further necessary action to:

- 1) General Manager, Mugma Area.
- 2) HOD (CMC), ECL HQ – *This is as per Minutes of the Meeting of ECFDs in its 38th meeting held on 28.12.2023 and 29.12.2023 & conveyed by Company Secretary's letter no ECL/CS/27 (Z-8)/ 30th of 2023/1 Dated: 31.12.2023 & eoffice computer no. 1258514.*
- 3) HOD (Legal), ECL HQ.
- 4) Addl. GM, Mugma Area.
- 5) AM (PC&D)/Area Survey Officer/APM, Mugma Area.
- 6) AFM, Mugma Area – With a request to ensure implementation of above mentioned point no. (2) regarding forfeiting of Security Deposit/BG of the said agency.

पंजीकृत कार्यालय /Regd. Office

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