

To

- 1) M/s. VFPL ASIPL JV COMPANY,
Near P. N. Bank, Main Road,
Ramgarh Cantt.-829122, Dist. Ramgarh (Jharkhand),
e-Mail Id: jiplsales@gmail.com.
- 2) M/s. Vikash Fastners Private Limited,
At Diamond Prestige,
Room No. 310, AJC Bose Road,
Kolkata, West Bengal
e-Mail Id: abpatodia@satyam.net.in
- 3) M/s. Alope Steels Industries Private Limited,
At Opposite Ashok cinema, Ranchi Road,
Marar, Ramgarh Cantt., Jharkhand
e-Mail Id: jiplramgarh@gmail.com

Sub : *Banning of Business of your Company and Partners of your Joint Venture Company in MCL for a period of one year.*

- Ref:-**
1. MCL/SBP/GM(CMC)/NIT-763(RT)/2018/1020 Dated 18.01.2018
 2. LOA No. MCL/SBP/GM(CMC)/NIT-763(RT)/2018/1215 Dated 31.03.2018.
 3. Work Order No. MCL/GM(KA)/Mining/NIT-763(RT)/2018/18 Dated 10.04.2018.
 4. Show Cause Notice for Banning of Business vide letter No. MCL/GM(KA)/Mining/NIT-763(RT)/2020/993 Dated 04.04.2020.
 5. Your reply to the Show Cause Notice vide letter under reference No. VFPL ASIPL/2020-21/01 Dated 21.04.2020.

1. You have been awarded the work of Extraction of Coal/Coal measure strata by deploying Surface Miner on hiring basis, mechanical transfer of the same in Tipping Trucks and transportation of the same from SM Face to different destinations inclusive of effective water spraying for dust suppression, dozing of Faces/Sidings/Stocks etc. and grading/maintenance of roads etc. of Kaniha OCP, Kaniha Area. [NIT-763(RT) Dated 18.01.2018] vide Letter of Acceptance under reference No. MCL/SBP/GM(CMC)/NIT-763(RT)/2018/1215 Dated 31.03.2018 of General Manager(CMC), MCL and Work Order No. MCL/GM(KA)/Mining/NIT-763(RT)/2018/18 Dated 10.04.2018 of Kaniha Area.
2. Whereas you have executed only 13.87 MT of Coal at Kaniha OCP, Kaniha Area against a target of 33.72 MT for the period from May-2018 to March-2020, i.e. only 41.14%. Month-wise performance of your Company under NIT-763(RT) Dated 18.01.2018 from May-2018 to March-2020 is as under:-

Sl No.	Month	Agreed Qty (Tonnes)	Achieved Qty (Tonnes)	Total Shortfall (Tonnes)	Shortfall due to Contractor's fault (Tonnes)	Penalty amount deducted/ withheld (in ₹)
1.	May-18	1518340	220181.64	1298158.36	0	0.00
2.	Jun-18	1441800	468066.49	973733.51	3800	23070.00
3.	Jul-18	1489860	571877.16	917982.84	4067	27450.00
4.	Aug-18	1489860	389727.24	1100132.76	0	0.00
5.	Sep-18	1441800	554596.23	887203.77	0	0.00
6.	Oct-18	1489860	655147.72	834712.28	8775	65330.00
7.	Nov-18	1441800	694042.97	747757.03	1200	9605.00
8.	Dec-18	1489860	612881.48	876978.52	25302.5	188377.00

Sl No.	Month	Agreed Qty (Tonnes)	Achieved Qty (Tonnes)	Total Shortfall (Tonnes)	Shortfall due to Contractor's fault (Tonnes)	Penalty amount deducted/ withheld (in ₹)
9.	Jan-19	1489860	675993.13	813866.87	15000	106410.00
10.	Feb-19	1345680	565289.98	780390.02	10000	70940.00
11.	Mar-19	1489860	930501.53	559358.47	51500	347573.50
12.	Apr-19	1441800	520501.26	921298.74	22700	153202.30
13.	May-19	1489860	615869.92	873990.08	6500	43868.50
14.	Jun-19	1441800	601453.15	840346.85	19000	128231.00
15.	Jul-19	1489860	400324.43	1089535.57	50500	340824.50
16.	Aug-19	1489860	269722.74	1220137.26	0	0.00
17.	Sep-19	1441800	248773.32	1193026.68	3000	20247.00
18.	Oct-19	1489860	456024.96	1033835.04	25500	172100.00
19.	Nov-19	1441800	508346.29	933453.71	94537	585184.00
20.	Dec-19	1489860	852938.11	636921.89	32500	201175.00
21.	Jan-20	1489860	903302.56	586557.44	157412.2	974382.00
22.	Feb-20	1393740	980342.76	413397.24	312386.23	4216589.00
23.	Mar-20	1489860	1175719.91	314140.09	258234.19	1742823.00
Total		33718540	13871624.98	19846915.02	1101914.12	9417381.80

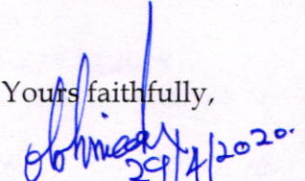
3. Whereas you did not deploy sufficient equipment as specified in the NIT-763(RT), the month-wise deployment of equipment by you vis-a-vis equipment to be deployed as per NIT-763(RT) Dated 18.01.2018 is as under:-

Sl No	Month	No. of S/Miners as per NIT	No. of S/Miners depl.	P/L as per NIT (Equivalent Capacity) in HP	Depl. of P/L (Equivalent Capacity) in HP	Tippers as per NIT (Equivalent Capacity) in Te	Depl. of Tippers (Equivalent Capacity) in Te	Dozer as per NIT (Equivalent Capacity) in HP	Depl. of Dozers (Equivalent Capacity) in HP	Graders as per NIT (Equivalent Capacity) in HP	Depl. of Graders (Equivalent Capacity) in HP	Water Tankers as per NIT (Equivalent Capacity) in KL	Depl. of Water Tankers (Equivalent Capacity) in KL
1.	May-18	5	1	2800	800	2100	466	2050	840	1120	280	160	60
2.	Jun-18	5	3	2800	1200	2100	1418	2050	1680	1120	280	160	60
3.	Jul-18	5	3	2800	1200	2100	1418	2050	1680	1120	280	160	60
4.	Aug-18	5	3	2800	1200	2100	1418	2050	1680	1120	280	160	60
5.	Sep-18	5	3	2800	1200	2100	1418	2050	1680	1120	280	160	60
6.	Oct-18	5	3	2800	1600	2100	1418	2050	1680	1120	280	160	60
7.	Nov-18	5	3	2800	1600	2100	1418	2050	1680	1120	280	160	60
8.	Dec-18	5	3	2800	1600	2100	1195	2050	1680	1120	280	160	60
9.	Jan-19	5	3	2800	1600	2100	1114	2050	1680	1120	280	160	60
10.	Feb-19	5	3	2800	2000	2100	1317	2050	1260	1120	280	160	60
11.	Mar-19	5	3	2800	2000	2100	1398	2050	1680	1120	280	160	60
12.	Apr-19	5	3	2800	2000	2100	1398	2050	1680	1120	280	160	60
13.	May-19	5	3	2800	2000	2100	1418	2050	1680	1120	280	160	60
14.	Jun-19	5	3	2800	2000	2100	1418	2050	1260	1120	280	160	60
15.	Jul-19	5	3	2800	2000	2100	1418	2050	1260	1120	280	160	60
16.	Aug-19	5	3	2800	2000	2100	1418	2050	1260	1120	280	160	60
17.	Sep-19	5	3	2800	2000	2100	1418	2050	1260	1120	280	160	60
18.	Oct-19	5	3	2800	2000	2100	1418	2050	1680	1120	280	160	60
19.	Nov-19	5	3	2800	2000	2100	1418	2050	1260	1120	280	160	60
20.	Dec-19	5	3	2800	2000	2100	1418	2050	1260	1120	280	160	60
21.	Jan-20	5	3	2800	2000	2100	1418	2050	1260	1120	280	160	60
22.	Feb-20	5	4	2800	2200	2100	1580	2050	1260	1120	280	160	60
23.	Mar-20	5	4	2800	2400	2100	1722	2050	1260	1120	280	160	60

4. Whereas you have been consistently performing poorly since the beginning of the Contract under NIT-763(RT) Dated 18.01.2018 at Kaniha OCP, Kaniha Area. In spite of you being given sufficient opportunities to execute the agreed quantity as per terms and conditions of Agreement and also given several letters to improve the performance and to deploy sufficient equipment as per NIT, you did not deploy sufficient equipment as per NIT resulting in poor performance of Coal Production at Kaniha OCP, Kaniha Area.
5. Whereas 21 days Show Cause Notice for Banning of Business of your Company and all Partners of your Joint Venture Company for a period of 03 years was issued by General Manager, Kaniha Area vide letter under reference No. MCL/GM(KA)/Mining/NIT-763(RT)/2020/993 Dated 04.04.2020. Your reply to the Show Cause Notice vide letter under reference No. VFPL ASIPL/2020-21/01 Dated 21.04.2020 has been found to be unsatisfactory by the Competent Authority.
6. Whereas MCL has incurred a huge irreparable loss due to poor performance by you. Your consistent poor performance shows that you are likely to severely impair production capacity of our company if allowed to do business with MCL in future. The estimated loss during 2019-20 is around 66 crores and also loss of royalty to Govt. exchequer comes to around Rs. 13 Crore. Despite the repeated reminders, you failed to deploy required machines which have resulted in poor performance. You have performed only 41.14% of assigned target as per NIT /agreement at Kaniha OCP. There was no initiative on your part to meet the shortfall of targeted production. Therefore, in the interest of MCL, there is no option but to ban you and Partners of your Joint Venture from participation in future tenders of MCL, for a period of 1 year.

In view of the above, M/s. VFPL ASIPL JV Company and its constituent Partners of Joint Venture are banned for a period of one year from participating in future tenders of MCL. Ban will come into force from the date of issue of this letter.

Yours faithfully,


29/4/2020
Director(Tech/OP), MCL

Copy to:-

1. CMD, MCL
2. D(T/P&P), MCL
3. D(F), MCL
4. D(P), MCL
5. General Manager(CMC), CIL
6. General Manager(CMC), MCL
7. General Manager, Kaniha Area.
8. All Area General Managers, MCL
9. General Manager (System/e-Procurement), MCL -Uploading of the Letter in Coal India website, MCL website & linking of the Letter to e-Tender Portal of Coal India Ltd.