

2349/1561
8-7-20

Head Clerk/CAD
Diary No. 4348.
10/7/2020

OFFICE OF THE DEPUTY COMMISSIONER OF POLICE: PROVISIONING & LOGISTICS
(AN IS/ISO 9001:2008 UNIT)
5, RAJPUR ROAD, DELHI-110054 (FAX NO.011-23993344 & 23974427)

ORDER

An order for purchase / supply of 1698 Nos. Body Protector, 811 Pairs Shin Guards and 1105 Nos. Arms/Elbow Guards was issued in favour of M/s. Earthwork Security Private Limited, A-12/25, MIDC Industrial Area, Butibori, Nagpur-441108 (Maharashtra) vide this office No. 15544/CSA(Q-1-A)/DCP/P&L dated 26.9.2017 in view of this office tender No. 338/CSA (Q-1A)/DCP/P&L/2017 opened on 17.03.2017. As per the Clause - 27 of tender's terms and conditions, the supply of tendered items had to be completed within 30 (Thirty) days from the date of issue / receipt of supply order. But despite regular written / verbal requests on a number of occasions by this office, your firm had supplied only 200 Pairs each of Shin Guards and Arms/Elbow Guards on 31.05.2019 and failed to supply the remaining quantity of Shin Guards and Arms/Elbow Guards. Your firm also failed to supply the total quantity of Body Protectors.

Moreover, the Performance Bank Guarantee deposited by your firm amounting to Rs.2,45,000/- bearing No. 0968917BG0000007, dated 15.09.2017 issued by State Bank of India, Butibori Branch, Nagpur, Maharashtra was valid up to 15.12.2018 only and despite repeated written / verbal requests by this office, the same has also not been get revalidated by your firm. The correspondence made by this office for deposition of Performance Bank Guarantee, supply of goods, and renewal of Performance Bank Guarantee along with gist of communication are as under:-

1.

S.No.	Details of Correspondence	Remarks
1.	A Supply order No. 15544/CSA(Q-1-A)/DCP/P&L dated 26.9.2017 was issued to the firm to supply the goods within 30 days from the date of issue / receipt of supply order.	No response received from the firm.
2.	Reminder Letter No. 18756/CSA(Q-1A)/DCP/P&L, dated 28.12.2017 sent through email dated 29.12.2017 also. <i>Signature</i> ACP/R. W.	In response, reply of the firm received on 11.01.2018 and the firm taken pleas as under:- The cloth which requires manufacturing body protector, its availability is short in the market and after demonetization and GST implication, the firm is facing some financial problem and requested for time extension for delivery of goods.

3.	As the pleas taken by the firm were not justifiable, a Show Cause Notice was issued vide this office No.1457/CSA(Q1A)/P&L, dated 12.02.2018.	No response received from the firm.
4.	Reminder was issued through email dated 09.04.2018.	In response, reply of the firm received on 18.04.2018 and the firm taken pleas as under:- A sudden cardiac problem happened to Managing Director, Mr. Prithvial Singh who was looking after Delhi projects. The firm requested to consider the unavoidable medical ground which lead to such situation and close down of their operation for around 5 months.
5.	A letter vide this office No.4353/CSA (Q-1A)/P&L, dated 02.05.2018 was issued to the firm to attend the office of DCP/P&L on 09.05.2018 in c/w SCN.	Mr. Prithvial Singh, Managing Director, M/s Earthwork Security Pvt. Ltd. attended the office of DCP/P&L, Delhi on 09.05.2018 and assured to supply the complete order within next 6 week as well as to submit all medical documents of his illness. He also sent a letter dated 16.05.2018 in support to his verbal assurance given during personal appearance on 09.05.2018.
6.	The firm was again requested through email dated 08.10.2018 to supply the goods and to submit the medical papers as well.	No response was received from the firm.
7.	A reminder letter was sent to the firm vide this office No.13478/CSA (Q-1A)/DCP/P&L, dated 18.10.2018 for supply of goods.	No response was received from the firm.
8.	A reminder letter was sent to the firm vide this office No.5376/CSA (Q-1A)/DCP/P&L, dated 10.04.2019 for supply of goods as well as to get the Performance Bank Guarantee renewed from the bank and submit to this office. The firm was also requested to attend the office of DCP/P&L in c/w SCN issued to the firm.	No response was received from the firm.

9.	A reminder was issued to the firm through email dated 06.05.2019.	No response was received from the firm.
10.	A reminder letter was issued to the firm vide this office No. 6661/CSA (Q-1A)/DCP/P&L, dated 10.05.2019.	The firm submitted reply through an email dated 18.05.2019 stating therein that the firm submitted request to the bank authorities for renewal of PBG but the bank has asked to submit old B.G. document in original, then, new BG will be issued in e-form within 7-10 days. The firm also ensured that the next lot of goods will be delivered soon.
11.	A reminder letter was issued to the firm vide this office No. 7975/CSA (Q-1A)/DCP/P&L, dated 04.06.2019 along with copy to the Manager, SBI, Butibori Branch, Nagpur with the request to extend the time period of BG so that old BG could be handed over to the bank or the firm.	Neither the firm nor the bank responded to this communication.
12.	A reminder letter was issued to the firm vide this office No. 11077/CSA (Q-1A)/DCP/P&L, dated 31.07.2019 along with copy to the Manager, SBI, Butibori Branch, Nagpur with the request to extend the time period of BG so that old BG could be handed over to the bank or the firm. This letter was also emailed to the firm on 02.08.2019.	Neither the firm nor the bank responded to this communication.
13.	A letter as 'Last Opportunity' was issued to the firm vide this office No. 16198/CSA (Q-1A)/DCP/P&L, dated 05.11.2019 along with copy to the Manager, SBI, Butibori Branch, Nagpur with the request to extend the time period of BG so that old BG could be handed over to the bank or the firm. This letter was also emailed to the firm on 06.11.2019.	The firm submitted its reply through email dated 25.11.2019 stating therein that the BG has been expired on 15.12.2018 and now the original BG is required is required by the bank for its renewal. The firm requested that department may submit the same to the bank directly for its renewal. As regard supply of goods, the firm stated that if no LD will be imposed, then the firm will supply the material soon.

From the perusal of above correspondence made with your firm by this office no submissions / pleas put forth and as per tender's terms and conditions, it is crystal clear that your firm has failed to fulfill the obligations for supply of body protector items in tender No. 338/CSA (Q-1A)/DCP/P&L/2017 despite repeated requests after elapsing a period of

more than 02 (two) years and 08 months. This lucidly shows unprofessionalism and casual approach of your firm in participating in tenders of the department.

Keeping in view of above, I am inclined to take a decision on the Show Cause Notice issued vide No. 1457/CSA(Q1A)/P&L, dated 12.02.2018. Therefore, I, D.K.S. Singh, Deputy Commissioner of Police, Prov. & Logistics, 5, Rajpur Road, Delhi – 110054 do hereby (1) forfeit the Performance Bank Guarantee No. No. 0968917BG0000007, dated 15.09.2017 issued by State Bank of India, Butibori Branch, Nagpur, Maharashtra amounting to Rs.2,45,000/- (Rupees Two Lakh Forty Five Thousand Only) valid up to 15.12.2018 and (2) blacklist your firm M/s Earthwork Security Private Limited, A-12/25, MIDC Industrial Area, Butibori, Nagpur-441108 (Maharashtra) from Delhi Police work for a period of five years from the date of issue of this order.

(D.K.S. SINGH) IPS
DEPUTY COMMISSIONER OF POLICE:
PROV. & LOGISTICS, DELHI.

M/s. Earthwork Security Private Limited,
A-12/25, MIDC Industrial Area, Butibori,
Nagpur, Maharashtra.

No. 10499-605 ICOSA (Q-1A)/DCP/P&L, dated 05/07 2020.

Copy forwarded to :-

1. All Special CsP/Joint CsP/Addl. CsP, Delhi/New Delhi.
2. All Districts/Units DCsP including P/PTC & FRRO, New Delhi.
3. Addl. C.P/AP w.r.t memo. No. 431/P.Sec.Addl. CP/AP dated 20.11.2016 for information & necessary action.
4. DCP/Genl. Admn., Delhi w.r.t PHQ s memo. No. 8009/Admn.(IX) PHQ dated 02.06.2017 for information and necessary action.
5. DCsP/IT Centre/PHQ and CRO, for necessary action regarding publishing /uploading the order on Delhi Police Websites.
6. The Chief Executive Officer, Govt. e-Marketing Place, Room No.209, 2nd Floor, Jeevan Tara Building, 5, Sansad Marg, New Delhi-01. (ceo-gem@gov.in).
7. FA/LA to CP/Delhi.
8. The Bank Manager, State Bank of India, Butibori Branch, Nagpur, Maharashtra-441122. It is requested that the Bank Guarantee No. 0968917BG0000007 of Rs.2,45,000/- (Rupees Two Lakh Forty Five Thousand only) issued by State Bank of India, Butibori Branch, Nagpur, as deposited by M/s. Earthwork Security Private Limited, may be incased and the Demand Draft equal to the amount of Bank Guarantee may be sent to this office, as the same has been forfeited by this office.
9. HAMT and Inspr./Admn./P&L.
10. Accountant/P&L. The security money deposited by the firm may be deposited in concerned head of account.
11. All Head Asstts./CSA Branch.