

**ANDAMAN AND NICOBAR ADMINISTRATION
OFFICE OF THE CHIEF ENGINEER
ANDAMAN PUBLIC WORKS DEPARTMENT
NIRMAN BHAWAN
PORT BLAIR.**

Dated 24th April, 2023

OFFICE ORDER NO. 19557

Whereas, M/s. Sriya Enterprises is enlisted as Class IV Govt. Contractor (Civil) vide Order No.363 dated 31.03.2016.

Whereas, a complaint has been received from EE, SAD, APWD, Port Blair vide letter No.A-52/SAD/APWD/2022-23/1730 dated 12.08.2022, wherein it was mentioned that the work "Construction of CC drain from Aircargo to Helipad Ground" was sanctioned for an amount of Rs. 30,53,251/- and draft N.I.T. was issued vide No.13/EE/SAD/APWD/2022-23 dated 21.07.2022 with ECPT for an amount of Rs.28,84,507/-. Accordingly the tender was invited vide even L.No.1545 dated 21.07.2022 with the date of opening of technical bid and financial bid on 05.08.2022.

Whereas, during the scrutiny of the tender documents submitted by the tenderers, it was noticed that the GST Certificate submitted by the firm M/s Sriya enterprises was suspended by the GST Department w.e.f. 07.06.2022 .

Whereas, the EE, SAD stated that the firm has submitted forged document by hiding the factual condition of GST during the whole process of tender opening. This act on the part of contractor results loss of huge Govt. money and time and recommended to take action against the firm for not to participate in the tender process in APWD for minimum one year.

Whereas, a show cause notice under Rule 23.3 (f) of Enlistment Rules of Contractors, 2017 was issued to the contractor vide No.63(10)/2015-16/CE/APWD/Fin/4206 dt:31.08.2022.

Whereas, the agency has submitted his reply vide Letter dated 07.09.2022 wherein it is stated that the EE, SAD, APWD, Port Blair rejected the quotation after opening of financial bid of said tender on the grounds that the firm has submitted the forged documents of GST registration. Further, the firm mentioned that scrutiny of the tender documents submitted by the bidders are evaluated at the stage of technical evaluation and if found correct, then only financial bid is opened. But the EE, SAD rejected the tender after opening the financial bid instead of rejecting the bid at the stage of technical bid. And as per the laid down clause in tender document, scanned copy of GST registration certificate and other documents were uploaded by the firm.



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Whereas, the firm also furnished that there is ample difference in the status "Suspended and "Cancelled" and there is no condition in tender documents to declare the present status of the GST registration and only copy of GSTIN registration is to be uploaded, for which the firm complied with. And the EE, SAD has ascertain by his assumption that the firm has caused huge loss to the Govt. money and did not provide an opportunity to be heard before cancellation of the bid.


Whereas, the reply furnished by the firm was forwarded to the EE, SAD vide L.No.4663 dated 15.09.2022 and in response to this the EE, SAD has furnished his comments vide L.No.2112 dated 26.09.2022 wherein, it is mentioned that the firm has submitted the forged GST certificate which was already been suspended w.e.f. 07.06.2022 and the correctness of the same was verified by the division from the GST Portal. The EE, SAD informed that the firm had mislead the department in analyzing the L1 firm by hiding the correct fact/status of their GST, as such the charges made by the division was correct.

Whereas, the view of SE, PBCC had been sought on the comments of EE, SAD vide L.No. 2792 dated 02.12.2022 and SE, PBCC agreed with the reply furnished by EE, SAD and comments that the said subject is justified and legitimate based on the supporting documents/letters.

Whereas, Rule 23.3 (f) of Enlistment Rules of Contractors in APWD, 2017 envisages that the name of the contractor may be removed from the approved list of contractors, by the enlisting authority, if he has indulged in any type of forgery of falsification of records.

Whereas, as per Rule 23 of Enlistment Rules of contractors in APWD, 2017, the contractor shall have abide by all the rules of enlistment and also by the terms and conditions of the contract and Notice Inviting Tenders. He shall have to execute the works as per contract on time and with good quality. The Enlisting Authority shall have the right to demote a contractor to lower class, suspend business with indefinitely or for a period as decided by enlisting authority after issue of show cause notice.


Now therefore, after examining the merit of the case and based on the recommendation of the Enlistment Board for Class-IV Contractors in APWD in accordance to Rule 23 of Enlistment Rules of Contractors in APWD, 2017, the Enlistment Authority is pleased to suspend the business with the firm M/s. Sriya Enterprises for a period of 06 months from the date of issue of this office order. However, this order of suspension shall not affect the ongoing works of the contractor which the contractor is mandatorily required to complete as per the conditions stipulated in the contract agreement.


Finance Officer to Chief Engineer
APWD, Port Blair
M/21/2022-Section FO to CE-APWD-APWD_AN

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OFFICE ORDER BOOK

1. M/s. Sriya Enterprises, Near Satsang Garacharma Basti, Garacharma, Port Blair-744105, Ph.No.9933250093/9434260799 by registered post.
2. The Director (RD), Panchayat & PRIs, A&N Administration, P/Blair for information.
3. All the Superintending Engineers under APWD, Port Blair
4. The Superintending Engineer, Electricity Department, Port Blair
5. The Superintending Engineer, Zilla Parishad, Port Blair
6. The Superintending Engineer, N&M Andaman, Mayabunder
7. The Superintending Engineer, PBMC, Port Blair
8. The Chief Engineer, MES, Port Blair
9. The Chief Engineer and Administrator, ALHW, Port Blair
10. The Executive Director, NHIDCL, A&N Islands
11. The Assistant Commissioner of Income Tax, A&N Islands, Port Blair
12. The Asst. P.F. Commissioner/OIC, Sub-Regional Office, Labour Commissioner building, Supply Line, Port Blair.
13. All the Executive Engineers under APWD.
14. The Assistant Engineer, ISSD, APWD, Kolkata
15. The Deputy Secretary (PW), A&N Administration, Port Blair
16. The Executive Engineer, E&M (Plg), O/o CE, APWD, with the request to upload the order in APWD website.
17. The Labour Commissioner, A&N Administration, Port Blair
18. The Assistant Commissioner, EPF, A&N Administration, Port Blair
19. F. No. 63(10)/2015-16/CE/APWD/FIN/


24/04/23
Finance Officer to Chief Engineer
APWD, Port Blair
24/4/23