

अंडमानतथानिकोबारप्रशासन
मुख्य अभियन्ताकाकार्यालय
अंडमानलोकनिर्माणविभाग
निर्माणभवन पोर्टब्लेयर



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

Dated the 14th September 2021

OFFICE ORDER NO: 472

Whereas the firm M/s S Bose & Sons is enlisted as Class-I (Civil) vide O/o 1305 dt 18.12.2019.

Whereas an office memorandum dated 08.01.2021 received from the Director, Central Vigilance Commission, New Delhi addressed to the Chief Secretary, A&N Administration, Secretariat, P/Blair wherein it is recommended to take suitable action against M/s S Bose & Sons on the issue relating to deviation from special condition of agreement in r/o purchase of bitumen from a private agency instead of direct procurement from IOC, HPCL, BPCL and usage of the same in the work "Improvement of riding quality work from km 13.00 to km 16.50 (3.5 km) of NH-223 (old) /NH-4 (New) under CD-III, APWD, Prothrapur".

Whereas, it was observed that an enquiry had been conducted by the Anti-Corruption Unit, A&N Administration in this instant matter wherein it is mentioned that the issue relating to deviation from special condition of agreement in respect of purchase of bitumen from a private agency instead of direct procurement from IOC, HPCL, BPCL and usage of the same work is substantiated and found to be procedural lapses.

Whereas, in terms of Rule 22 of Enlistment Rule of Contractors in APWD 2017 the contractor shall execute the works awarded to him strictly as per the terms and conditions of the contract and specifications.

Whereas, a show cause notice has been issued to the firm in accordance to Rule 23 of ER, 2017 vide TO letter No. 1321 dt 26.02.2021. In response to the aforesaid notice, the firm has furnished the reply.

Whereas, comments of the EE, CD-III, APWD, P/Pur had been sought on the reply furnished by the firm and the EE, CD-III vide even letter 857 dt 06.04.2021 stated that the contractor had not followed the special condition of contract thereby breaching the integrity agreement signed by the contractor as per article 1 sub para 2 of the agreement which has led to suspicion on the conduct of the claimant contractor. The EE further stated that the Sole Arbitrator in his findings has stated that the claimant has violated the special condition for bitumen because he has procured around

72% of bitumen used in work through an intermediary/shopkeeper and not directly from any Refinery as required.

Now, after examining the merit of the case, the recommendation of the Enlistment Board for Class-I contractors in APWD, and in accordance to Rule 23.4 of Enlistment (Amendment) Rules of Contractors in APWD-2018, the Enlistment Authority is pleased to suspend the business with the contractor for a period of two years from the date of issue of this 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,
(F. No. 2-5/2020/CE/APWD/FIN)*

OFFICE ORDER BOOK

Copy forwarded for information and necessary action to:

1. M/s S Bose & Sons, Bathu Basti, PO Garacharma, South Andaman , Ph: 9679553405,by registered post.
2. The Director (RD, Panchayat & PRIs), A&N Administration, P/Blair for information.
3. All the Superintending Engineer's under APWD, Port Blair.
4. The Superintending Engineer, Electricity Department, Port Blair.
5. The Superintending Engineer, Zilla Parishad, Port Blair.
6. The Superintending Engineer, Zilla Parishad, N&M Andaman, M/Bunder.
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 Comm's 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. 2-5/2020/CE/APWD/FIN (Meeting File).

*Finance Officer to Chief Engineer,
APWD, Port Blair.*