

No. MCL/SBP/DT(OP)/2020/ 158

Dt. 07.05.2020

To

- 1) M/s. JRT NKBPL JV,  
CMD Chowk, Link Road,  
Bilaspur (C.G.),  
e-Mail Id: [jrtnkbpljv@gmail.com](mailto:jrtnkbpljv@gmail.com)
- 2) M/s. Jalaram Transport,  
CMD Chowk, Link Road,  
Bilaspur (C.G.),
- 3) M/s. N K Bhojani Pvt Ltd.,  
S-2/A-42, 43, 44, Mancheswar Industrial Estate,  
Bhubaneswar, Odisha-751010

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

- Ref:-
1. NIT No. MCL/SBP/GM(CMC)/NIT-118/2017/611 Dated.19.09.2017
  2. LOA No. MCL/SBP/GM(CMC)/NIT-118/2017/ 935 Dated 23.12.2017.
  3. Work Order No. MCL/GM(KA)/Mining/NIT-118/2018/469 Dated 03.01.2018
  4. Show Cause Notice for Banning of Business vide letter No. MCL/GM(KA)/Min/NIT-118/2020/952 Dated 20.02.2020.
  5. Your reply to the Show Cause Notice vide letter under reference No. JN(JV)/K.OCP/NIT-118/2019-20/291 Dated 03.03.2020.

1. You were awarded the work of awarded the work of Hiring of HEMM (Shovel, Tipper, Drill, Dozer etc.) for transfer & transportation of materials in various strata including drilling, excavation, dumping, spreading, dozing and other allied works in specified areas for dumping for exposing various coal seams from surface, down to seam II Boa at Kaniha OCP as per the instructions of Project Officer/Management of Kaniha OCP, Kaniha Area for a quantity of 41.40 MCum for a period of 1095 days (Quantity Per day = 37,808 Cum/day), amounting to Rs.307,67,61,122.40 (including GST@18%) (NIT-118 dated 19.09.2017) vide Letter of Acceptance under reference No. MCL/SBP/GM(CMC)/NIT-118/2017/935 Dated 23.12.2017 of General Manager(CMC), MCL and Work Order No. MCL/GM(KA)/Mining/NIT-118/2018/469 Dated 03.01.2018 of Kaniha Area. The period of Contract is from 22.01.2018 to 20.01.2021.
2. Whereas you have executed only 6.88 MCum of OB Removal at Kaniha OCP, Kaniha Area against a target of 29.55 MCum for the period from January-2018 to March-2020, i.e. only 23.29%. Month-wise performance of your Company under NIT-118 Dated 19.09.2017 from January-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.	Jan-18	40000	33800.10	6199.90	0	0
2.	Feb-18	336000	179535.93	156464.07	0	0
3.	Mar-18	868000	198647.01	669352.99	0	0
4.	Apr-18	1005000	189663.27	815336.73	0	0
5.	May-18	1085000	99615.58	985384.42	0	0
6.	Jun-18	1050000	206792.08	843207.92	0	0
7.	Jul-18	992000	177199.42	814800.58	0	0
8.	Aug-18	992000	147639.97	844360.03	0	0
9.	Sep-18	1140000	183480.73	956519.27	2300	15514
10.	Oct-18	1209000	280206.68	928793.32	39393	265706
11.	Nov-18	1240000	301769.19	938230.81	27173	183282
12.	Dec-18	1240000	389324.14	850675.86	66620	449352
13.	Jan-19	1240000	348792.88	891207.12	14550	98140
14.	Feb-19	1176000	237412.10	938587.90	0	0
15.	Mar-19	1395000	411163.24	983836.76	0	0
16.	Apr-19	1260000	248279.27	1011720.73	0	0
17.	May-19	1302000	375339.49	926660.51	0	0
18.	Jun-19	1200000	274287.75	925712.25	0	0
19.	Jul-19	1085000	169154.21	915845.79	0	0
20.	Aug-19	1085000	0.00	1085000.00	0	0
21.	Sep-19	1140000	145089.64	994910.36	0	0
22.	Oct-19	1178000	204408.50	973591.50	0	0
23.	Nov-19	1200000	404081.47	795918.53	0	0
24.	Dec-19	1240000	422844.25	817155.75	8000	53960
25.	Jan-20	1240000	475038.53	764961.47	263847	3559296
26.	Feb-20	1218000	431164.75	786835.25	261500	3527635
27.	Mar-20	1395000	347761.04	1047238.96	107500	725088
<b>Total</b>		<b>29551000</b>	<b>6882491.22</b>	<b>22668508.78</b>	<b>790883</b>	<b>8877973</b>

3. Whereas you did not deploy sufficient equipment as specified in the NIT-118, Dated 19.09.2017, the month-wise deployment of equipment by you vis-a-vis equipment to be deployed as per NIT-118 is as under:-

Sl No	Month	Shovels as per NIT (Equivalent Capacity) in Cum	Deployment of Shovels (Equivalent Capacity) in Cum	Tippers as per NIT (Equivalent Capacity) in Cum	Deployment of Tippers (Equivalent Capacity) in Cum
1.	Jan-18	50.40	6.2	782.73	140
2.	Feb-18	50.40	9.3	782.73	210
3.	Mar-18	50.40	9.3	782.73	210
4.	Apr-18	50.40	12.4	782.73	257
5.	May-18	50.40	9.3	782.73	163
6.	Jun-18	50.40	9.3	782.73	163
7.	Jul-18	50.40	9.3	782.73	163
8.	Aug-18	50.40	9.3	782.73	163

Sl No	Month	Shovels as per NIT (Equivalent Capacity) in Cum	Deployment of Shovels (Equivalent Capacity) in Cum	Tippers as per NIT (Equivalent Capacity) in Cum	Deployment of Tippers (Equivalent Capacity) in Cum
9.	Sep-18	50.40	9.3	782.73	163
10.	Oct-18	50.40	9.3	782.73	163
11.	Nov-18	50.40	12.4	782.73	268
12.	Dec-18	50.40	12.4	782.73	268
13.	Jan-19	50.40	15.5	782.73	326
14.	Feb-19	50.40	12.4	782.73	268
15.	Mar-19	50.40	15.5	782.73	326
16.	Apr-19	50.40	12.4	782.73	268
17.	May-19	50.40	12.4	782.73	268
18.	Jun-19	50.40	12.4	782.73	268
19.	Jul-19	50.40	12.4	782.73	268
20.	Aug-19	50.40	0	782.73	0
21.	Sep-19	50.40	12.4	782.73	268
22.	Oct-19	50.40	12.4	782.73	268
23.	Nov-19	50.40	15.2	782.73	303
24.	Dec-19	50.40	15.2	782.73	303
25.	Jan-20	50.40	15.2	782.73	303
26.	Feb-20	50.40	15.2	782.73	303
27.	Mar-20	50.40	15.2	782.73	303

4. Whereas you have been consistently performing poorly since the beginning of the Contract under NIT-118 Dated 19.09.2017 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 OB Removal, leading to less exposure of coal at Kaniha OCP, Kaniha Area and huge loss to MCL.
5. Whereas a 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)/Min/NIT-118/2020/952 Dated 20.02.2020. Your reply to the Show Cause Notice vide letter under reference No. JN(JV)/K.OCP/NIT-118/2019-20/291 Dated 03.03.2020 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 Rs. 39 Crores and also loss of royalty to Govt. exchequer comes to around Rs. 7 Crores. Despite the repeated reminders, you failed to deploy required machines which have resulted in poor performance. You have performed only 23.29% 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.

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In view of the above, M/s. JRT NKBPL JV and its constituent Partners of Joint Venture, M/s. Jalaram Transport and M/s. N K Bhojani Pvt Ltd. 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,

  
7/5/2020  
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.