

Office Order for Blacklisting

Order No: - 1330
BREDA/Accts/09/2016-17 /2021-22(Part-II)

Dated:- 27/06/2022

Subject: Blacklisting of M/s Kreate Light Pvt. Ltd., 1002-1003, Antriksha Bhawan, 22 K.G. Marg, Cannought Place, New Delhi-110001 (EoI No. BREDA /EoI /SPV / MGSSLY/27/2021-22)

Whereas, M/s Kreate Lights Pvt. Ltd, ,, 1002-1003, Antriksha Bhawan, 22 K.G. Marg, Cannought Place, New Delhi-110001 had been empanelled as executing agency with BREDA vide Agreement no. 36 dated 09.05.22 for "Design, Supply, Installation, testing, commissioning of Smart Solar Street Light System including Remote Monitoring System and five years comprehensive maintenance under the Mukhyamantri Gramin Solar Street Light Yojna in the State of Bihar. Also, the executing agency has submitted EMD in form Bank Guarantee (BG No. 006873/SBI/000040/2021-22) amounting to Rs.50,00,000/- (Fifty Lakh), issued date 07.03.2022 and expiry date 08.03.23 against EoI No. BREDA/EOI/SPV/MGSSLY/27/2021-22.

Whereas, Techno Commercial Bid was opened on date 16.03.22 and thereafter Financial Bid was opened on dated 08.04.2022 and M/s Kreate Lights Pvt. Ltd has been selected as one of the successful bidder and further agreement was executed. As per tender terms and conditions the submitted EMD (BG) has been verified by BREDA through vide letter no. 854 dtd. 05.05.22 from the issuing bank SBI, Bhowanipore, Kolkata, West Bengal.

Whereas, issuing bank through vide letter dated 10.05.22 has informed that the submitted BG was never issued from their branch and seems to be fake, however the same was re-confirmed by the Regional Bank Office-1 vide email on dtd. 25.05.22 and letter no.1075 dtd. 26.05.2022. Reply mail received from SBI, Regional Bank Office-1, Kolkata on 26.05.22 stating that the said BG has not been issued by their Bhowanipore Branch and the signature of the Branch officials on the BG is fake.

Whereas, considering above facts show-cause notice was issued to M/s Kreate Lights Pvt. Ltd. vide letter no. 1079 dated 26.05.2022 regarding submission of fake EMD in form of Bank Guarantee against EoI No. BREDA/EOI/SPV/MGSSLY/27/2021-22. Reply of executing agency was received on dated 30.05.2022 stating that the company will conduct an enquiry and will take an appropriate action against concern person but till date as no any action taken has been reported to this office shifting liability and burden of proof may not be an excuse of executing agency and thus the submitted reply is ignoring and not satisfactory and is just and sufficient to prove company guilty. In consideration of above facts and executing agency reply, legal opinion has also been obtained on 07.06.2022. And thereafter in light of legal opinion it is concluded as stated below.

Whereas, considering above facts the signed empanelment agreement vide Agreement no. 36 dated 09.05.22 has been considered as null and void with effect from date of execution of agreement i.e. 09.05.2022 and M/s Kreate Lights Pvt. Ltd. is disqualified from this tender EoI No. BREDA/EOI/SPV/MGSSLY/27/2021-22.



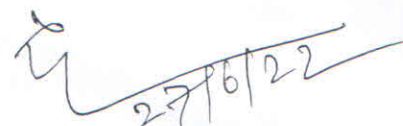
M/s Kreate Lights Pvt. Ltd. aforesaid conduct is against the contractual obligation i.e. as per clause no. 3.15.7 "Found engaging in corrupt or fraudulent practices" and has committed the events of fraudulent practices with BREDA, thus have made their self liable for the actions as per clause no. 3.15.10 "Black listing shall be for a period ranging from three to six years. Corrupt and fraudulent practices shall attract harshest punishment".

Looking to all of the afore mentioned facts, the competent authority BREDA has decided that M/s Kreate Lights Pvt. Ltd, ,, **1002-1003, 10th Floor, Antriksha Bhawan, 22 K.G. Marg, Cannaught Place, New Delhi-110001** is blacklisted and debarred from participating in future tender /tenders of BREDA for the period of 3 (three) years from the date of issue of this "Order for Blacklisting".

Based on the above action initiated by M/s Kreate Lights Pvt. Ltd., BREDA shall take appropriate legal action as per applicable laws. Due cognizance may please be taken for above decision of BREDA, Patna.

BREDA reserves the right to avail other legal remedies available to it as per the applicable laws.

Office order has the approval of competent authority.



Joint Secretary cum Deputy Director
BREDA, Patna

To,

M/s Kreate Light Pvt. Ltd.,
1002-1003, 10th Floor, Antriksha Bhawan,
22 K.G. Marg, Cannaught Place, New Delhi-110001

Copy Forwarded to:

1. Ministry of New and Renewable Energy, GOI, New Delhi
2. The Principal Secretary, Energy Dept, GOB
3. The Director, BREDA, Patna
4. The MD, SBPDCL, Patna
5. The MD, NBPDC, Patna
6. All SNAs.