

Memo No: No. 92/HR/RC/E-5/2023-24/

Dated: 14.01.2025

ORDER

Whereas, on receipt of indent eDNIT was issued on 09.01.2024 for arranging the Annual Rate Contract for the Supply, installation and commissioning of Solar High Mast Lighting Systems in the State of Haryana with seven years warranty of complete system required by New & Renewable Energy Department, Haryana & HAREDA.

And whereas, the tender was opened on 11.03.2024. In response thereto, following 07 firms have submitted their online bids:-

- i) M/s GEIE Solar Products India Pvt. Ltd; Ghaziabad (U.P),
- ii) M/s Inixy Power Solution Pvt. Ltd. Sonipat (MSE:-Small),
- iii) M/s LIPAX Technology Sirsa (MSE:-Micro),
- iv) M/s Mansa Solar Energy, Karnal (MSE:- Small),
- v) M/s Patanjali Renewable Energy Pvt. Ltd; New Delhi,
- vi) M/s Ritika Systems Pvt. Ltd. Noida
- vii) M/s Sunfed Ecosolutions India Pvt. Ltd; Gurgaon (MSE:-Micro).

And whereas, the offer/documents of the above said firms were examined in the Technical Committee meeting held on 24.04.2024 and the offer of following 04 firms were observed to be as per DNIT.

- i) M/s M/s GEIE Solar Products India Pvt. Ltd; Ghaziabad (U.P).
- ii) M/s Inixy Power Solution Pvt. Ltd. Sonipat (MSE:-Small).
- iii) M/s Patanjali Renewable Energy Pvt. Ltd; New Delhi.
- iv) M/s Ritika Systems Pvt. Ltd. Noida

And whereas, the Financial Bids of technically qualified firms were opened on 24.06.2024. The case was decided by the High Powered Purchase Committee meeting in its meeting held on 23.07.2024. As per decision of High Powered Purchase Committee, the acceptance letter was issued in favour of firm namely M/s Patanjali Renewable Energy Pvt. Ltd; New Delhi on 08.08.2024 to deposit the requisite security alongwith Schedule-B duly signed and stamped.

M/s Patanjali Renewable Energy Pvt. Ltd. New Delhi deposited the requisite security alongwith Schedule-B duly signed and stamped vide letter dated 23.08.2024. It is pertinent to mention here that a letter dated 10.09.2024 was received from the Stop Corruption Organization, Haryana News wherein it has been

mentioned that the firm M/s Patanjali Renewable Energy Pvt. Ltd. New Delhi has been declared blacklisted by the Energy Efficiency Services Ltd, (EESL) New Delhi. Pursuant to the above representation dated 10.09.2024, this office vide letter dated 07.10.2024 issued a Show Cause Notice to the firm to explain their position within 15 days regarding blacklisting of the firm by the Energy Efficiency Services Ltd; New Delhi vide letter dated 13.07.2023 as intimated by the Stop Corruption Organization, Haryana News.

The firm i.e. M/s Patanjali Renewable Energy Pvt. Ltd. New Delhi vide letter dated 21.10.2024 has sent the reply to the Show Cause Notice dated 07.10.2024 wherein the firm has interalia stated that *"They strongly oppose any punitive measures based solely on the EESL's contested temporary debarment order. The show cause notice indicates a move to forfeit their security deposit and debar their firm from future business dealings with the Haryana Government. Such actions, if taken, would be based on an incomplete and contested legal position"* and the same was not found satisfactory. However, in the interest of justice Director Supplies & Disposals granted personal hearing on 26.12.2024 which was duly attended by the representative of the firm.

It is undisputed that on the date of applying for the bid, the firm was blacklisted/ debarred and that order was not stayed by any appellate authority.

The Competent Authority after thoughtful consideration on the matter and record reached to this conclusion that the reply submitted by the firm dated 21.10.2024 as well as requests made by the firm do not help them much as per terms and conditions of contract.

In view of the factual position, it appears from the record that it is a clear case of false information or concealment of the facts regarding debarred/blacklisting by your firm just to take undue advantage over and above the other successful bidder and to prejudice the rights of the bidders to throw them out from the completion which is not permissible as per condition no. 28 which is reproduced below:-

Condition no. 28 (C-Specific Terms & Condition/ Eligibility Criteria related to above Store) of Schedule-A of DNIT is reproduced as under :-

If any bidder provides false information or conceals the facts regarding debarred/blacklisted, experience, turnover or other conditions mentioned in this tender, Nodal agency reserves the right to forfeit both EMD &

SUPPLIES & DISPOSALS DEPARTMENT, HARYANA
S.C.O. No. 09, Ist&IInd Floor, Sector-16, Panchkula-134109 (Haryana)
Ph.:- 0172-2570121, 123, 124. Fax No.:- 0172-2570122.
e-mail:- supplies@hry.nic.in , website:- dsndharyana.gov.in

Performance Bank Guarantee of the bidder, to black list the bidders, to cancel the contract and other punitive action.

And now therefore, the Competent Authority has decided to forfeit Total Security deposit amounting to Rs. 20,65,300/- (S.No. 24843) on account of false information and concealment of the facts regarding debarred/blacklisting of the firm.

This is without prejudice to all other right and remedies permissible to the Govt. under the terms and conditions of the contract.

It is ordered accordingly.

Dated:-



PANKAJ, IAS,

Director, Supplies & Disposals,
Panchkula, Haryana

Endst No. 92/HR/RC/E-5/2023-24/

9809-12

Dated

16/1/25

A copy is forwarded to the following for information and necessary action:-

1. The Director General, New & Renewable Energy Department, Haryana, Panchkula.
2. Section officer O/o Supplies & Disposals Department, Haryana.
3. Security Assistant O/o Supplies & Disposals Department, Haryana.
4. M/s PATANJALI RENEWABLE ENERGY PRIVATE LIMITED, Ground Floor Guru Gorakhnath Mandir Nirman Samiti, HAF, Pocket -3 ,Sector-7, DWARKA, New Delhi. Mb. No. 9319677554, Email:- tender@patanjaliirenewable.com



Executive Engineer,

For Director, Supplies & Disposals,
Panchkula, Haryana