



टेलीकम्युनिकेशन्स कंसलटेंट्स इंडिया लिमिटेड
(भारत सरकार का उद्यम)
Telecommunications Consultants India Limited
(A Government of India Enterprises)



प्रभाग
DIVISION

टी. सी. आई. एल. भवन, ग्रेटर कैलाश-I
नई दिल्ली-110048

TCIL Bhawan, Greater Kailash-I,
New Delhi-110 048

CIN : U74999DL1978GO1008911

TCIL/10/059/2022/BD-PCL-002

Feb 08, 2022

M/s Paramount Communications Ltd,
C-125, Naraina Industrial Area,
Phase-1,
New Delhi-110028.

Subject: Termination of the Letter of Intent(LOI) No: TCIL/OPGW-UPPTCL/SC-PKG-C/01 dated Sep 10, 2021, issued after due acceptance of your BID, in the TCIL Tender No. TCIL/D(T)/4/01/01/2021/N/1918 dated 17/03/2021, for non compliance as submission of PBG, non submission of design documents, delay in execution of work etc, in breach of the terms and conditions of the tender and LOI.

Project: *TCIL Tender No. TCIL/D(T)/4/01/01/2021/N/1918 dated 17/03/2021 for "Design, Engineering, Manufacturing, Testing, Supply, Stringing, Installation, Testing & Commissioning etc. of OPGW along with Hardware & Accessories, Termination at both end substations, including replacement of existing Earth wire & related works of 220 KV & 132KV different existing Transmission Lines (approx. 780 route Kms) of UPPTCL, on Turn-key basis."*

- Ref:**
1. UPPTCL Tender & Specification No. TD-461/21.
 2. TCIL Tender No. TCIL/D(T)/4/01/01/2021/N/1918 dated 17/03/2021
 3. PWCL Bid against TCIL's EOI.
 4. TCIL's Negotiation Letter No. TCIL/BD/059/01/UPPTCL/2021/1708-17.08.21
 5. PWCL Discount Letter No. PCL/TCIL/TD-461/21/01 dated 24th Aug 2021.
 6. UPPTCL LOI No. 3183/ETDC/2/TD-461/21/OPGW/TCIL dated 3rd September 2021
 7. TCIL LOI No. TCIL/OPGW-UPPTCL/SC-PKG-C/01 dated Sep 10, 2021
 8. TCIL letter no. TCIL/OPGW-UPPTCL/SC-PKG-C/01/21 dated 21st Oct 2021
 9. Your offer no. PCL/TCIL/OPGW UPPTCL/SC-PKG/2021-22/06 dated 2nd Nov 2021
 10. TCIL's amendment No. 1 to LOI No. TCIL/OPGW-UPPTCL/SC-PKG-C/01/A dated 11th Nov., 2021
 11. Show cause notice for Termination Notice No. TCIL/D(T)/BD/UPPTCL/2022/0501A dated 5th Jan 2022
 12. Your reply to Termination Notice No : Nil dated 19.01.2022



Signature

राष्ट्रीय : National : टेलीफोन : Telephone : 011-26202020 फैक्स : Fax : 011-26242266 वेबसाइट : Website : <http://www.tcil-india.com> ई-मेल : E-mail : tcil@tcil-india.com
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हम पढ़ें सभी भाषाओं को, अपनी हिंदी का मान करें, सम्मान बढ़ाएं भारत का, आओ हिंदी में काम करें।

WHEREAS in terms of Show-cause notice issued vide letter No:TCIL/D(T)/BD/ UPPTCL /2022/ 0501A dated 5th Jan 2022 on the aforesaid subject ,you were notified for various defaults/breaches as under:

- i. Non submission of PBG as per Tender Document
- ii. Non compliances of various timelines pertaining to the tender/LOI.
- iii. Non-submission of design documents as per timelines.
- iv. Delay in execution of OPGW Lines of National Importance.
- v. Failure in submission of Performance Guarantee and PBG as per amended LOI.

WHEREAS your response /reply letter No : Nil dated 19.01.2022 was received in response to the said show cause notice and it has been examined. It has been found that the facts stated in the reply to Show-cause notice are beyond the terms of contract. You are now not agreeing to the terms and conditions of the Clause vii of the TCIL's Tender wherein it was mentioned that - *The Bidder should be agreeable on back to back payment terms and all other financial /Technical conditions as imposed by the main client.* Further, you have failed to submit the PBG to TCIL as per Clause ix of the TCIL's Tender which provides that *The bidder should be agreed to submit a PBG to TCIL as & when asked as per requirement of main Client.* Moreover, you have also failed to commence the work as per Annexure-4 Commercial Terms of the TCIL's Tender that is reproduced as under:

If our Bid is accepted, we will provide the specified Security Deposit or PBG, commence the work as soon as reasonably possible after receiving the Letter of Intent and complete the work in accordance with the above-named document in accordance with the time schedule specified in the Agreed and Finalized Project Plan.

WHEREAS it is mentioned that all the Technical / Financial/ Contractual Terms were on back to back basis with you , as per UPPTCL Tender No. TD-461/21 and TCIL has already suffered various losses and delay in time frame as per clause related to Negligence, Suspension of Work due to your non-performance, non-planning and delay in execution of work all actions will be taken in accordance with Section-4 Form A of the Client's i.e. M/s UPPTCL Tender. Due to the negligent conduct and non – compliance of the contractual provisions by you, the Client i.e. M/s. UPPTCL has issued a number of notices to TCIL regarding non submission of PBG on time and also recently a show cause notice dated 25.01.2022 has been issued by M/s. UPPTCL for withdrawal of the work in case there is no visible improvement in working within next 15 days.

WHEREAS on account of the above said defaults and breaches committed by you TCIL is left with no other alternative but to terminate the said LOI No : **TCIL/OPGW-UPPTCL/SC-PKG-C/01 dated Sep 10, 2021 alongwith its amendment,**

NOW therefore the LOI NO : TCIL/OPGW-UPPTCL/SC-PKG-C/01 dated Sep 10, 2021 and its subsequent amendments No. TCIL/OPGW-UPPTCL/SC-PKG-C/01/A dated 11th Nov.,2021, issued in your favour in reference to above said project is hereby terminated with immediate effect under relevant clauses of TCIL Tender/ LOI/ Client Tender, including but not limited to the clause no 36 of UPPTCL tender (which is applicable on you due to back to back conditions



[Handwritten signature]

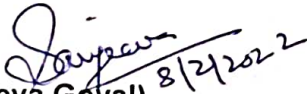
agreed in the bid) and clause no. 13 (Risk Purchase) of the LOI dated 10.09.2021 and the work shall be got executed solely at your risk and cost.

This termination is without prejudice to any rights of TCIL which may be available to it as per the terms and conditions of the UPPTCL tender No TD-461/21, TCIL Tender No. TCIL/D(T)/4/01/01/2021/N/1918 dated 17/03/2021 and LOI No TCIL/OPGW-UPPTCL/SC-PKG-C/01 dated Sep 10, 2021 and amendment to LOI No TCIL/OPGW-UPPTCL/SC-PKG-C/01/A dated 11th Nov.,2021 and/or under any Law which shall be applicable as on date including but not limited to raising of any claims /encashment of EMD/deduction/recovery of any damages of any nature whatsoever/Penalty/compensation for any losses of any nature suffered and /or maybe suffered by TCIL due to any default /breaches/act and omissions on your part etc.

In view of above referred terms and conditions of Tenders of UPPTCL and TCIL and LOI terms the following actions are being taken:

1. LOI No. TCIL/OPGW-UPPTCL/SC-PKG-C/01 dated Sep 10, 2021 and amendment No TCIL/OPGW-UPPTCL/SC-PKG-C/01/A dated 11th Nov.,2021 issued to M/s Paramount Communications Ltd., stand terminated, for the said project.
2. Bank Guarantee towards Earnest Money Deposit (EMD) of INR 10,50,000/- (Rupees Ten Lac Fifty Thousand only) submitted by M/s Paramount Communications Ltd is being forfeited as per Annexure-3-EMD of the TCIL's Tender.
3. The work as per the tender and LOI which was your contractual obligation shall be carried out solely at the risk and cost of M/s Paramount Communications Ltd.
4. Any LD or damages Levied to TCIL by UPPTCL due to non-performance by your company will be recovered from you, on back to back basis in terms of the Clause No. 13 Form -A, (Negligence), Clause No. 24 Form -A, Clause No.32, Form -A , Clause No.36 Construction of the Contract, etc. since all the Technical / Financial Terms were on back to back basis as per UPPTCL Tender No. TD-461/21.
5. The business dealing with M/s Paramount Communications Ltd are hereby suspended and banned/debarred for next 5 years w.e.f. 08.02.2022 until 07.02.2027 in Future Tenders of TCIL.

On behalf of Telecommunications Consultants India Limited


(Sanjeeva Goyal) 8/2/2022
CGM (IT & BD)

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