

क्यादी नं. 4868
दिनांक 08-05-19
पुस्तक संख्या
श्रेणी (कॉपी)
श्रेणी (अनु.)
श्रेणी (अन्य)
का. संख्या

DD(W) Please circulate & put up on web site



भारत सरकार

कार्यालय विशेष महानिदेशक (उत्तरी क्षेत्र)

केंद्रीय लोक निर्माण विभाग सेवा भवन राम कृष्ण पुरम, नई दिल्ली -110066

दूरभाष नंबर-011-26198489, फ़ैक्स -011-26175189

संख्या:- C/14-05-1/SDG(NR)/Elect./Comp/608

दिनांक - 25/4/2019

85.A

Office Order No. 50 /2019

Sub: Removal of M/s BCC Developers & Promoters Pvt. Ltd., Class-I contractor (Composite) from the approved list of Class-I Contractor (Composite).

With the approval of DG, CPWD, JS & CVO vide its letter No. 10/V-14/(A-114)/2017-VS I dated 16.11.2018 has asked for action against M/s BCC Developers & Promoters Pvt. Ltd., an enlisted contractor in Class-I : Composite Category, consequent upon identifying the probable lapses/ responsibility on the part of contractor. The said contractor held responsible for following lapses occurred during the execution of work: "C/o Central Academy for Police Training (CAPT) at Kanhasaiya, Bhopal. SH: C/o Type-II 85 Nos. Qtrs. (G+2), III 32 Nos. & IV - 16 (G+1), V-8 No.s & VI-1 No. (Singlex), QR's Trainee Mess, Armoury / Mazgine, M.T. Workshop, Garage, QM Store, Community Centre, Sports Complex, Shopping Complex, Hospital, Animal Transport, Main Gate, Model Police Station including Internal Water Supply, Sanitary installations, Drainage, Electrical Works and external development, RCC overhead tank, UG Sump, Horticulture and Landscaping work in Plot B of CAPT, Kanhasaiya Village, Distt. Bhopal (package 4B.) Agreement No. 01/EE/CAPT/2015-16":-

- (i) They failed to comply with provision mentioned at Para 15.0 page 64 & Para 15.2 page 65 of particular specification and special conditions of the agreement by not submitting the Method statement of centring/scaffolding system of the badminton hall for approval to the Engineer-in-charge.
- (ii) They failed to comply with provision mentioned at Para 5.2.3.4, 5.2.3 & 5.2.5.1 (e) of CPWD specifications 2009 Vol. I and Para 15.0-page 64 pertaining to particular specifications and special conditions of the agreement by not submitting the structural design/drawing of centring/scaffolding system of the badminton hall for approval of the Engineer-in-charge.
- (iii) They ignored safety aspect of centring/shuttering by not ensuring checking of centring and shuttering from safety point of view as per pour card.

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AD/CS

DD(W-I)

① Copy to all RCEs & CEs
② Copy of this order may also be uploaded on website

20/05/19

- (iv) They continued with concreting work of badminton hall in the absence of any representative of Engineer in Charge, despite written instructions of the AE at 5.00 PM, when the roof collapsed at about 6.15 PM on 09.03.2017, which is violation of Para-9.1.20 of Particular Specification and Special Conditions of the agreement by the contractor which state that "Concreting of any portion of the work shall be done in presence of representative of the Engineer in Charge".
- (v) They are responsible for the safety of workers directly or indirectly employed in the work as per page 69 of particular specifications of the agreement under Para 16.2.12, and are also responsible for any accident at the site of work and consequences thereof. Also, as per clause 11 of General Conditions of Contract (GCC), of the agreement, contractor shall take full responsibility for adequacy, suitability and safety of all the works and method of construction. They failed to act as per this provision of the agreement causing collapse of roof of badminton hall and causality.
- (vi) As per clause 11 of General Conditions of Contract (GCC), of the agreement, "the contractor shall execute the whole or every part of the work in most substantial and workman like manner both as regards material and otherwise in every respect in accordance with the specification....contractor shall take full responsibility for adequacy, suitability and safety of all the works and method of construction". The failed to comply with this provision of the agreement causing collapse of roof of badminton hall and causality.

1. M/s BCC Developers & Promoters Pvt. Ltd., enlisted in Class-I Composite category by erstwhile O/o SDG(DR), CPWD vide enlistment order No. 18/2016 dated 01.08.2016 and revalidation vide letter No. 23(44)/C-I/SDG/DR/2017/483 dated 09.03.2018. The said agency has indulged in above lapses in the work of : "C/o Central Academy for Police Training (CAPT) at Kanhasaiya, Bhopal. SH: C/o Type-II 58 Nos. Qtrs. (G+2), III 32 Nos. & IV – 16 (G+1), V-8 Nos & VI-1 No. (Singlex), QR's Trainee Mess, Armoury / Mazgine, M.T. Workshop, Garage, QM Store, Community Centre, Sports Complex, Shopping Complex, Hospital, Animal Transport, Main Gate, Model Police Station including Internal Watery Supply, Sanitary installations, Drainage, Electrical Works and external development, RCC overhead tank, UG Sump, Horticulture and Landscaping work in Plot B of CAPT, Kanhasaiya Village, Distt. Bhopal (package 4B). Agreement No. 01/EE/CAPT/2015-16" which resulted in collapse of roof of Badminton Hall during pouring on 09.03.2017.

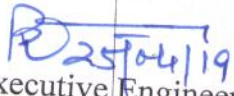
2. This office, vide letter No. C-14-05-1/SDG(NR)/Elect./Comp./274 dated 13.02.2019 has given Show Cause Notice to M/s BCC Developers & Promoters Pvt. Ltd.
3. The said agency submitted reply to Show Cause Notice, vide its letter No. 'Nil' dated 23.02.2019.
4. The reply of show Cause Notice has been considered with reference to the alleged charges against M/s BCC Developers & Promoters Pvt. Ltd.
5. Empowered Committee during meeting has deliberated this issue in detail & observed that:-
 - (i) Responsibility to comply with provisions mentioned under contract agreement lies with the contractor executing the work.
 - (ii) The executing agency M/s BCC Developers & Promoters Pvt. Ltd. failed to comply with provisions mentioned at Para 15.0 page 64 & Para 15.2 Page-16 of particular specification and special condition of the agreement by not submitting the Method statement of centring/scaffolding system of badminton Hall for approval to the Engineer-in charge, which resulted in collapse of roof of Badminton Hall during pouring on 09.03.2017.
 - (iii) M/s BCC Developers & Promoters Pvt. Ltd. has failed to reply satisfactorily of the Show Cause Notice on alleged lapses.
 - (iv) Thus, M/s BCC Developers & Promoters Pvt. Ltd had committed act of omission on account of aforesaid lapses on their part and not discharged their responsibilities.
6. The issue was placed before the Empowered Committee, who in its meetings held on 04.02.2019 and 16.04.2019, after due deliberations and by considering facts on records and reply of Show Cause Notice, has found that M/s BCC Developers & Promoters Pvt. Ltd has committed wrongful action to discharge their responsibilities as per Para 23.0 of Enlistment Rules 2017.

In view of above facts and records, the competent authority is pleased to order to remove the name of M/s BCC Developers & Promoters Pvt. Ltd., Class I : Composite category from the approved list of Class I (Composite Category) contractors.


25/04/2019
DDG (Coordination)NR

Copy to:-

1. The Directorate General (Kind Attn.: CE(E), CSQ), CPWD, Nirman Bhawan, New Delhi-110011.
2. JS & CVO, CPWD, Nirman Bhawan, New Delhi-11.
3. PPS to Spl. DG, NR for information.
- 4-7 SDG(WR), SDG(SR), SDG(ER) & SDG(NER) with request to get the order uploaded on CPWD website of their region for information of all ADGs/CEs/SEs/EEs.
- ✓ 8. Engineer -in-Chief (PWD), Govt. of Delhi, MSO Building , I.P.Estate, New Delhi.
9. ADG(NR-I), CPWD, Kendriya Sadan, Sec -9 A, Chandigarh - 160017.
10. ADG (NR-II), CPWD, Kendriya Bhawan, Sec.-H, Aliganj, Lucknow-226024.
11. DDG (E-gov.), CPWD, Nirman Bhawan, New Delhi with the request to upload this office order on CPWD Web Portal under debarred contractor list.
12. CPWD website NR for uploading in Web Portal.
13. M/s BCC Developers & Promoters (P) Ltd., H-33, Masjid Moth, Greater Kailash- II, New Delhi-110048. Copy to files of concerned contractors.
14. Guard File.


Executive Engineer (P)