



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

National Highways Authority of India

(Ministry of Road Transport and Highways)

जी-5 एवं 6, सेक्टर-10, द्वारका, नई दिल्ली - 110 075

G-5 & 6, Sector-10, Dwarka, New Delhi-110075

WITHOUT PREJUDICE

दूरभाष / Phone: 91-11-25074100/25074200

ORDER

NHAI/J&K/Ramban-Banihal Pkg- II/2021/EPC

Date: 24.06.2022

Subject: Construction of Four Laning of part of Ramban to Banihal Section of NH-1A (Now NH-44), from Ch.158+675 to Ch.164+660 (North Bound) and Ch.160+282 to Ch.163+368 (South Bound connecting with Existing Tunnel-T4) excluding Ch.161+544 to Ch.164+100 (North Bound) including construction of Twin Tube Tunnel (Package-II) in the UT of Jammu & Kashmir on EPC Mode

WHEREAS the National Highways Authority of India (hereinafter also referred to as "Authority" or "NHAI") had awarded the project "Construction of Four Laning of part of Ramban to Banihal Section of NH-1A (Now NH-44), from Ch.158+675 to Ch.164+660 (North Bound) and Ch.160+282 to Ch.163+368 (South Bound connecting with Existing Tunnel-T4) excluding Ch.161+544 to Ch.164+100 (North Bound) including construction of Twin Tube Tunnel (Package-II) in the UT of Jammu & Kashmir on EPC Mode" and signed Contract Agreement dated 08.10.2021 (hereinafter also referred to as "Agreement") with M/s Ceigall India Limited - Patel Engineering Limited (JV) (hereinafter also referred to as "Contractor") for the subject works in accordance with the terms and conditions set forth in the Agreement;

2. Whereas during the night on 19.05.2022 around 10.30 to 11 PM, shooting stones started coming down during the execution of portal support installation work of adit at Khooni Nallah which led to the unfortunate demise of 10 workers.
3. Whereas the MoRTH vide Office Order dated 20.02.2022 constituted Expert Committee to investigate the reasons for slide/collapse.
4. Whereas based on the said accidents at site and reports of Members of Expert Committee, Show Cause Notices is being issued by Authority to the Contractor.
5. Whereas in the meantime, Contractor vide letter dated 30.05.2022 submitted their representation with the request not to initiate any punitive action against them. Contractor vide letter dated 30.05.2022 also mentioned that as a self-imposed disciplinary measure, they shall not be participating in any bids of NHAI for a period of one month i.e. from 30.05.2022 to 29.06.2022. The same has been examined and following order are issued:

In view of grave nature of the incident, the proposal to disallow Contractor to bid for NHAI/MoRTH projects has been considered. However, the Authority has taken cognizance of Contractor's representation dated 30.05.2022. Considering the past track record of Contractor, the Authority, in-interim, hereby agrees with Contractor's self-imposed disciplinary measure to refrain from participating in bids of NHAI/MoRTH


but period be enhanced to three months i.e. from 30.05.2022 to 29.08.2022 or final decision in the matter whichever is earlier. The Contractor shall not bid in any of the bids of NHAI/MoRTH during this period. The final decision will be taken based on your submission and examination of final report. However, this should not be construed as acceptance, on part of Authority, of any contentions made by Contractor in the said letter dated 30.05.2022 about the accident on 19.05.2022.

6. It is expressly stated that by issuance of this letter, Authority should not be deemed to have varied, surrendered or abrogated any of its legal and contractual rights in any manner whatsoever.

7. This is issued without prejudice to any rights and/or remedies available to Authority under the Agreement with M/s Ceigall India Limited - Patel Engineering Limited (JV) and / or Applicable Laws. For the avoidance of doubt, Authority reserves the right to take measures as per the provisions of the Agreement, as deemed fit, in addition to aforesaid actions.

8. This is issued with the approval of Competent Authority. The unconditional acceptance of this order shall be submitted within 7 days of issue of this letter failing which Authority would be a liberty to suitably modify this order.

For and on behalf of the Authority,


(Virender Sambyal)

General Manager (Tech) J&K/HP

To,

Ceigall India Limited
Patel Engineering Limited (JV)
A-898, Tagore Nagar
Ludhiana, Punjab-141001
Email: aman@ceigallindia.com/indiaceigall@gmail.com

Copy to:

1. Sr. PPS to Secretary, Ministry of Roads Transport & Highways, New Delhi.
2. PS to Chairperson, National Highways Authority of India
3. PS to MD, NHIDCL, 3rd Floor, PTI Building 4 Parliament Street, New Delhi-110001.
4. PS to Director General Border Roads, Seema Sadak Bhawan, Ring Road, Naraina, New Delhi.
5. PPS to Member(P), NHAI, G-5&6, Sec-10, New Delhi - 110075.
6. The RO-Jammu, NHAI.
7. Authority's Engineer, M/s Intercontinental Consultants and Technocrats Pvt. Ltd. In Association with Chaitanya Projects Consultancy Pvt. Ltd.
8. Senior Technical Director, MoRTH (E-mail: mansoor@nic.in)-with request to upload on Ministry's website.
9. Web Admn, NHAI HQ - with a request to upload on NHAI website.