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GOVERNMENT OF KERALA



Abstract

Stores Purchase Department-Supply of G.I pipes to Kerala Water Authority by M/s. Vishal Pipes Limited, Delhi-Breach of Contract Non-Supply of materials to Kerala Water Authority-Blacklisting of the firm-orders issued.

STORES PURCHASE(B) DEPARTMENT

G.O.(Ry)4/2002/SPD, Dated, Thiruvananthapuram, 25.1.2002.

- Read:-
1. Letter No. KWA/HO/SP-9900/99/GI - Vishal dated 11.7.2000 of the C.E (P.S&GI)KWA addressed to M/s.Vishal Pipes Ltd, Hauz Quazi, Delhi.
 2. Letter No. KWA/HO /SP-9900/99/GI-Vishal dated 2.11.2000 of CE(PS&VI)KWA addressed to M/s.Vishal Pipes Limited, New Delhi.
 3. Letter No. KWA/HO/SP-9900/99/GI-Vishal dated 20.1.2001 from the Managing Director, Kerala Water Authority to Secretary to Govt., Irrigation (WSB)Department.
 4. Showcause Notice No.1923/B2/2001/SPD dated 12.5.2001 from the Principal Secretary to Govt., Stores Purchase Department to M/s.Vishal Pipes, Limited, New Delhi,
 5. Letter dated 9.7.2001 from Vishal Pipes Limited, Hauz Quazi, New Delhi to the joint Secretary to Govt., Stores Purchase Department.

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General Order No. 100	
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ORDER

The Managing Director, Kerala Water Authority as per their letter read as first paper above placed Supply Orders with the firm M/s.Vishal Pipes Limited, Hauz Quazi, Delhi for the supply of 7577 meters of 20 MM GI Pipes worth Rs.3,20,960.72. In the supply order the firm was directed to execute an agreement within a fortnight as per the general conditions of tender. But the firm did not execute the agreement, inspite of repeated reminders, including registered reminders, including registered letter from KWA. As there was no reply from the firm, the Managing Director, KWA issued a Showcause Notice, in the letter read as 2nd paper above, asking for reason as to why supply order should not be cancelled at the firms risk and cost. The firm did not respond to the showcause notice.

In the above circumstance KWA in the letter read as second paper has recommended for blacklisting the firm, for 5 years. As there was a breach of contract on the part of the firm, Government Issued a showcause notice to the firm, as per 4th paper read above. The firm as per 5th paper read above has furnished a reply and produced copies of their letters said to have been sent to KWA. It is clear that these letters addressed to KWA, could have been made subsequently to mislead Govt. The explanation furnished by the firm is not satisfactory and not acceptable. The arguments put forward by the firm is baseless.

The negligence on the part of the firm in abiding the tender conditions has caused untoward hardships to the KWA and the water Supply Schemes were delayed on account of the above lapse in supplying materials. The firm has violated the terms and conditions of agreement and failed to supply the materials ordered for. The above action of the firm warrants action against them.

Government have examined the proposal of the Kerala Water Authority in detail.

In exercise of the powers conferred under Para 95 of the Stores Purchase Manual, Government order that the firm M/s. Vishal Pipes Limited, 2774, Peepal Mahadev, Hauz Quazi, Delhi be blacklisted for a period of 5 years from the date of this order during which period Govt. Departments, Statutory bodies, Corporations, Autonomous bodies and Public Sector Undertakings under Govt. of Kerala will not enter into or involve any business dealings with the aforesaid firm or its proprietors and they order accordingly.

By Order of the Governor,

(Sd/-)

K. GOPA KUMAR,
Joint Secretary.

To
All Heads of Departments/Offices.

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