



उत्तर प्रदेश पावर कारपोरेशन लिमिटेड

(उत्तर प्रदेश सरकार का उपक्रम)

U.P. POWER CORPORATION LIMITED

(Govt. of Uttar Pradesh Undertaking)

CIN:U32201UP1999SGC024928

संख्या-2001-कार्य/चौदह-पाकालि/2023-8(12)-के/2023

दिनांक: 03 अगस्त, 2023

प्रबन्ध निदेशक,
पूर्वांचल/मध्यांचल/दक्षिणांचल/पश्चिमांचल,
विद्युत वितरण निगम लि०,
वाराणसी/लखनऊ/आगरा/मेरठ,
केस्को, कानपुर।

विषय : M/s Megawin Switchgears (P) Ltd. Selam को Blacklist/Debar किये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक Chief Engineer (P&M), Haryana Vidyut Prasaran Nigam Limited, Panchkula के पत्र सं०-Ch-116/HDP-2052/Xen/S/Stn/P/Vol Dtd. 12.07.2023 जो कि Haryana Vidyut Prasaran Nigam Limited, Panchkula द्वारा M/s Megawin Switchgears (P) Ltd. Selam को Blacklist/Debar किये जाने के सम्बन्ध में हैं, का संदर्भ ग्रहण करें।

उपरोक्त पत्र की छायाप्रति प्रेषित करते हुए मुझे यह अनुरोध करने का निदेश हुआ है कि कृपया उक्त पत्र को संज्ञान में लेते हुए तदनुसार कार्यवाही कराने का कष्ट करें।

संलग्नक:-यथोपरि।

भवदीय,

(सदानन्द)

संयुक्त सचिव

(ज०श०प्रशि० एवं कार्य)

संख्या-2001-(I)-कार्य/चौदह-पाकालि/2023 तददिनांक।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं अग्रेतर कार्यवाही हेतु प्रेषित :-

1. प्रबन्ध निदेशक, उ०प्र० पावर ट्रान्समिशन कारपोरेशन लि०/राज्य विद्युत उत्पादन निगम लि०/उ०प्र० जल विद्युत निगम लि०, शक्ति भवन, लखनऊ।
2. निदेशक (का०प्र० एवं प्रशा०/वित्त/वितरण/वाणिज्य/कार्पोरेट प्लानिंग), उ०प्र० पावर कारपोरेशन लि०, शक्ति भवन, लखनऊ।
3. Chief Engineer (P&M), Haryana Vidyut Prasaran Nigam Limited, Panchkula को उनके पत्र सं०-Ch-116/HDP-2052/Xen/S/Stn/P/Vol Dtd. 12.07.2023 के संदर्भ में।
4. अधिशासी अभियन्ता (वेब), कक्ष संख्या-407, उ०प्र० पावर कारपोरेशन लि०, शक्ति भवन विस्तार, लखनऊ को वेबसाइट-www.uppl.org पर अपलोड करने हेतु।

संलग्नक:-यथोपरि।

(सदानन्द)

संयुक्त सचिव

(ज०श०प्रशि० एवं कार्य)



HVPN

HARYANA VIDYUT PRASARAN NIGAM LIMITED
Regd. Office: Shakti Bhawan, Sector-6, Panchkula
Corporate Identity Number: U40101HR1997SGC033683
Office of Chief Engineer/P&M (2nd Floor)

Website : www.hvpn.org.in E-mail : cepm@hvpn.org.in
SAVE ENERGY FOR THE BENEFIT OF SELF AND NATION

3360
27-7-23

Memo no. Ch-116/HDP-2052/Xen/ S/Stn/P/Vol-III

Dated: 12.07.2023

To

REGISTERED POST

M/s Megawin Switchgears (P) Ltd.
Post Box No. 434, Perumal Malai Adivaram,
Alagapuram Post
Salem-636 004.
(Email – utilities@megawin.co.in, delhi@megawin.co.in)

7703
26/07/2023

Subject: Shortcoming in 11kV 15 Panel Board VCBs procured against P.O. No. HDP -1912 dated 25.01.2013, HDP-1985 dated 13.02.2014, HDP-1988 dated 28.02.2014 and HDP- 2052 dated 04.03.2015 placed on M/s Megawin Switchgear Pvt. Ltd. - Blacklisting/Debarring of Firm: Final Blacklisting.

Dear Sir,

11381/9cm/2023
25/7/2023

MD PCL A.

- The Nigam wishes to draw your attention towards 4 no. purchase orders i.e. HDP-1912 dated 25.01.2013, HDP-1985 dated 13.02.2014, HDP-1988 dated 28.02.2014 and HDP-2052 dated 04.03.2015 for supply of 11kV 15 Panel Board VCBs, which were placed upon your firm M/s Megawin Switchgear Pvt. Ltd. The detail of purchase orders is provided here under: -

24.7.23
(एम. देवराज)
अध्यक्ष

Sr. No.	Description	Qty. (In sets)
1.	HDP-1912 dated 25.01.2013	15
2.	Ch-8/HDP-1912/L dt. 22.07.2013 for 11kV 15 Panel Board set (Repeat order)	04
3.	HDP-1985 dated 13.02.2014	15
4.	HDP- 1988 dated 28.02.2014	46
5.	HDP- 2052 dated 04.03.2015	20
Total Qty. (In Sets)		100

Div (D)
R/s

- The 11kV 15 Panel Board VCBs were to be supplied against above mentioned P.Os as per HVPNL's technical specification bearing No. HGD/S-58/R-7 (B)/DGM-89. As per clause 5.15.4 of technical specifications the relays to be provided in 11kV Panel Boards shall be compatible with IEC-61850 communication protocol. Clause 5.15.4 of Technical Specifications is reproduced here under for reference:-

25/7
(त्रहपन देव शर्मा)
अपर निजी सा
प्रवक्ता निदेशक

"All relays shall conform to the requirements of IS: 3231/IEC-60255/IEC 61000 or other applicable standards. Relays shall be suitable for flush or semi-flush mounting on the front with connections from the rear. All protective relays shall be in draw out or plug-in type modular cases with proper testing facilities. Necessary test plugs/test handles shall be supplied loose and shall be included in contractor's scope of supply.

All main protective relays (viz Over Current and Earth Fault, Restricted Earth Fault, Over Voltage and Neutral Displacement) shall be numerical type and communication protocol shall be as per IEC 61850. Further, the test levels of EMI as indicated in IEC 61850 shall be applicable to these.

For numerical relays, the scope shall include the following:-

- Necessary software and hardware to up/down load the data to/from the relay from/to personal computer installed in the substation. However, the supply of PC is not covered under this clause.
- The relay shall have suitable communication facility for future connectivity to SCADA. The relay shall be capable of supporting IEC 61850 protocol (with optical port)."

S. Manwade
28/7/23
C.P. Rao
A.C.
27/7/23
C.D. (Amby)

ARO (R)
28/7/23

7290 23
27.7.23

SE-RL
27.7.23

Copy to J.S. (W&M) PCL

3. However, it was found that the relays supplied by your firm on the 11kV Panel Board VCBs supplied against subject cited purchase orders, are not compatible with IEC 61850 protocol.
4. Vide memo no. Ch-23/QDP-1049/XEN/S/Str.(P) dated 06.01.2017, your firm was requested to offer the relay compliant as per technical specifications of Nigam in all respects including fully supporting IEC 61850 (communication).
5. Your firm vide letter no. MSPL/13868/UT/DL/14-15 dated 31.01.2017 submitted as under:-
"We hereby give undertaking that all the relay provided on 11 kV panel sets supplied against PO No. HDP 1912 dated 25.01.2013, HDP-1985 dated 13.02.2014, HDP-1988 dated 28.02.2014 and HDP 2052 dated 04.03.2015 will be replaced/modified with the relay having IEC 61850 protocol during next one year."
 However, your firm failed to replace/ modify the above relays.
6. Again Nigam vide letter memo no. Ch-53/HDP-2052/QDP-967 dated: 18.07.2017, Ch-54/HDP-2052/QDP-967 dated: 20.09.2017, Ch-73/HDP-2052/QDP-967 dated: 18.09.2018 & Ch-89/HDP-2052/QDP-967 dated: 13.12.2018 had requested your firm to supply the schedule for the replacement/modification of the above relays in 11 kV VCB Panels supplied against subject cited P.Os to make compatible with IEC-61850 communication protocol at the earliest. In response, your firm vide letter no. MSPL/Uty./HVPNL-IEC 61850/RS/2018-19 dated 05.12.2018 has submitted the proposal as under:-
 - a. *"By adding Optical Port, we are honoring our commitment given by us vide letter dated 31.01.2017, we request HVPNL to accept our proposal for providing optical port and give clearance so that work can be completed in two months from date of receipt of confirmation from HVPNL.*
 - b. *We will also supply necessary software in the form of CD for up/down load the data to/from the relay from/to personal computer installed in the substations."*
7. Nigam vide letter memo no. Ch-33/HDP-2052/QDP-967/Vol-III dated 20.05.2019 had requested your firm to provide/replace the above relay with IEC-61850 communication protocol as per technical specification of HVPNL within six months with clear stipulation that in case of failure 10% Performance Bank Guarantee available against purchase order No. HDP -1912 dated 25.01.2013, HDP-1985 dated 13.02.2014, HDP-1988 dated 28.02.2014 and HDP- 2052 dated 04.03.2015 will be forfeited.

In response to above, your firm vide ref. MSPL/Uty. /11845/SS/2019-20 dated: 10.10.2019 has intimated that *"considering our long relationship with HVPNL, our management has decided to conclude the issue with a solution."* Your firm has also intimated that they are developing the necessary hardware/software modification, for the relay model supplied vide the above four P.Os to support IEC 61850 protocol and the testing is in progress.

8. As it was admitted by your firm that it did not have the software at the time of bidding and has failed to provide the solution even after 2.5 years from the date of commitment, the 10% Performance Bank Guarantee submitted by your firm against above mentioned 4 no. P.Os was encashed on dated 08.11.2019 as per Clause-6(IV) of SCHEDULE-D of contract (Earnest Money/Performance Guarantee). Clause-6(IV) of SCHEDULE-D is reproduced here under for reference:-

"If supplier fail or neglect to observe or perform any of his obligations under this contract, it shall be lawful for purchaser to forfeit either in whole or in part, in his absolute discretion, the security deposit furnished by the supplier."

B.

1. Further, refer to your letter MSPL/HVPNL/Uty./13071/Relays/SS/ 2022-23 dated 24.05.2022, vide which it has been requested by your firm to review penalty levied/imposed against subject cited 4 nos. P.Os for supply of 11kV 15 Panel Board VCBs and out of court settlement and also refer to your letter MSPL/HVPNL/Uty./13071/PM/ConLtr/2022-23 dated 28.12.2022, vide which you have submitted an affidavit on non-judicial stamp paper regarding the consent on the following proposal:-
 - a. Payment of the difference of price between the relays having communication protocol of IEC-61850 (i.e. Relay ordered) and relays supplied having communication protocol of MODBUS i.e. an amount of Rs. 1,19,46,792.00 (Rs. One Crore Nineteen Lacs Forty Six Thousand Seven Hundred Ninety Two Only).

- b. Non-claiming of any interest /damage/compensation etc. on any count in court of law including Arbitration.
 - c. Out of court settlement with HVPNL as full and final settlement between the parties and to disposed of the court case on the basis of settlement to be arrived at between the parties.
2. The BODs HVPNL has approved the above proposal as mentioned at sr. no. B.1 (a, b & c). However, since your firm failed to comply with the technical specifications & adhere to the terms & conditions of contract agreement, which clearly shows negligence on part of your firm towards execution of P.Qs. Therefore, BODs HVPNL also approved that your firm shall be blacklisted for the next one year for non-complying with the technical specifications while supplying the material to the Nigam.

In view of above mentioned facts, It is clear that your firm failed to comply with the technical specifications while supplying the material to the Nigam as per terms and conditions of contract.

Besides above, on account of unlike business behavior and unappreciable approach of your firm toward execution of POs issued to your firm, a notice of 15 days was served as to why your firm may not be blacklisted/debarred for one year for doing future business with HVPNL vide Memo no. Ch-101/HD/P-2052/Xen/S/Stn(P) dated: 26.06.2023.

Your reply received vide e-mail dated:06.07.2023, in response to this office's above mentioned letter regarding blacklisting is not found feasible for acceptance as it is clear that your firm failed to honour the contract in true spirit.

Therefore, your firm is blacklisted/debarred for one year for participating in future tender enquiries with HVPNL.

This is without prejudice to other rights of the Nigam.


Chief Engineer/P&M,
HVPNL, Panchkula.

CC:-

1. CE/M&P, HVPNL, Panchkula
2. CE/TS, HVPNL, Panchkula/Hisar/NCR Gurugram.
3. CE/PD&C, HVPNL, Panchkula.
4. Legal Remembrance, HPUs, Panchkula.
5. CAO, HVPNL, Panchkula.
6. FA/HQrs., HVPNL, Panchkula.
7. SE/TS Circle, HVPNL, Panchkula/Hisar/Karnal/Gurugram/Faridabad/Rohtak.
8. SE/Contracts, HVPNL, Panchkula.
9. SE/Design, HVPNL, Panchkula.
10. SE/IT, HVPNL, Panchkula.
11. Company Secretary, HVPNL, Panchkula.
12. SPS to Chairman, HPUs, Panchkula for kind information of Worthy Chairman, HPUs, Panchkula.
13. SPS to M.D., HVPNL, Panchkula for kind information of Worthy M.D., HVPNL, Panchkula
14. SPS to Director/Projects, HVPNL for kind information of Director/Projects
15. SPS to Director/Technical, HVPNL, Panchkula for kind information of Director/Technical.
16. SPS to Director/Finance, HVPNL for kind information of Director/Finance.

Copy of above is forwarded to following State Electricity Board/Distribution, Transmission, Generation, Nigam and Company for the Information please.

1. Sr. PS to Managing Director, Haryana Power Generation Corporation Ltd, Shakti Bhawan, Sector-6, Panchkula-134109.
2. Sr. PS to Managing Director, Uttar Haryana Bijli Vitran Ltd, Vidyut Sadan, Sector-14, Panchkula-134109.
3. Sr. PS to Managing Director, Dakshin Haryana Bijli Vitran Ltd, Shakti Bhawan, Vidyut Nagar, Hisar-125005
4. The Chairman & Managing Director, Power Grid Corporation of India Ltd., Plot No. 2, Sector-29, Gurgaon-122001.
5. The Chairman & Managing Director, National Hydroelectric Power Corporation, NHPC office Complex, Sector-33, Faridabad-121003.
6. The Chairman & Managing Director, NTPC Ltd., Scope Complex, 7 Lodhi Road, Delhi.-110003.
7. The Chairman & Managing Director, Damodar Valley Corporation, DVC Tower, VIP Road, Kolkata-700054.
8. The Secretary, BBMB, Sector-19B, Madhya Marg, Chandigarh-160019
9. The Chairman & Managing Director of Punjab State Power Corporation Limited, the Mall, Patiala-147001.
10. The Chairman & Managing Director of Punjab State Transmission Corporation Limited, the Mall, Patiala-147001.
11. The Chairman, Himachal Pradesh State Electricity Board, Vidyut Bhawan, Shimla-171002
12. The Managing Director, Utranchal Power Corporation Limited, Dehradun (Utranchal)-248001.
13. The Chairman-cum-Managing Director, Delhi Transco Ltd., Shakti Sadan, Kotla Road, New Delhi-110002
14. The Managing Director, Jodhpur Vidyut Vitran Nigam Ltd., New Power House, Industrial Area, Jodhpur (Rajasthan)-342003.
15. The Chairman & Managing Director, Jaipur Vidyut Vitran Nigam Ltd, Vidyut Bhawan, Janpath, Jaipur-302005 (Rajasthan).
16. The Chairman, U.P. Power Corporation Limited, Shakti Bhawan, 14, Ashok Marg, Lucknow-226001.
17. The Chairman & Managing Director, Rajasthan Rajya Vidyut Prasaran Nigam Limited, Vidyut Bhawan, Janpath, Jaipur (Rajasthan)-302005.
18. The Secretary Rajasthan Rajya Vidyut Prasaran Nigam Ltd., Vidyut Bhawan, Jyoti Nagar, RC Dave Marg, Jaipur- 302005
19. The Chairman, Ajmer Vidyut Vitran Nigam Limited, Hathi Bhata, Jaipur Road, Ajmer-305001.
20. The Chairman & Managing Director, Rajasthan Rajya Vidyut Utpadan Nigam Limited, Vidyut Bhawan, Janpath, Jaipur (Rajasthan) - 302005.
21. The Chairman, Madhya Pradesh State Electricity Board, PO Box No. 34 Rampur, Jabalpur 432008.
22. The Chairman, West Bengal State Electricity Board, Bidhan Nagar, Kolkata-700001
23. The Chairman, J & K State Electricity Board, Jammu-180001
24. Managing Director, West Bengal State Electricity Distribution Company Ltd. Block DJ, 5th Floor, Vidyut Bhawan, Salt, Lake City Sector-2, Kolkata-700091
25. Managing Director, Mangalore Electricity Supply Co. Ltd. (MESCOM), Paradigm Plaza, AB Shetty Circle, Pandeshwara, Manglore-575001.
26. Managing Director, Hubli Electricity Supply Co. Ltd., (HESCOM), Nava Nagar Post, Corporate Office, Hubli-580025 (Karnataka).
27. Managing Director, Gulbaraga Electricity Supply Co. Ltd., (GESCOM), Gulbarga Main Road, Kulbaraga-585102 (Karnataka).
28. Managing Director, Chamundeshwari Electricity Supply Co. Ltd., (GESCOM), No. 927, L.J. Avenue Commercial Complex, New Kantaraj Urs Road, Sarawatipurtam, Mysore-570009, Karnataka.
29. Chairman and Managing Director, Northern Power Distribution Co. of AP Ltd, H. No-11503, Op: NIT Petrol Pump, Chaitanyapuri Colony, Hanamkonda, Warrangal-506004 (AP).
30. Managing Director, Anakapally Rural Electric Co-Operative Society Ltd., No B-1539, Kasimkota, Dist., Visakapatnam, AP- 531031.
31. Chairman Assam Power Distribution Company Ltd., 4 Floor, Bijulee Bhawan, Paltan Bazar, Guwahati-781001, Assam-India

32. Managing Director, North Bihar Power Distribution Co. Ltd., Vidyut Bhawan, Railway Road, Patna-800021 (Bihar).
33. Chairman, Chattisgarh State Power Distribution Company Ltd., Dangania, PO Sunder Nagar, Raipur-492013.
34. Managing Director, Dakshin Gujrath Vij Co. Ltd., Nana Varcha Road, Near Kopadara Char Rasta, Surat-395006 (Gujrath).
35. Managing Director, Paschim Gujrath Vij Co. Ltd., Nana Mava Main Road, Laxmi Nagar, Rajkot- 360003
36. Managing Director, Madhaya Gujrath Vij Co. Ltd., Sardar Patel Vidyut Bhawan, Racecourse Road, Vadodara-390007 (Gujrath).
37. Chairman, Uttar Gujrath Vij Co. Ltd., Viaragar Road, Mehsana-284001.
38. Director (Tech.) Jharkhand Bijlee Vitaran Nigam Ltd, Engineering Bldg. HEC, PO Dhurwa, Ranchi Jharkand-834004.
39. Chairman & Managing Director, MP Porva Kshethra Vidyut Vitaran Company Bhawan, Vidyut Bhawan, Jabalpur (MP)- 482008.
40. Chairman & Managing Director, PM Madhaya Kshethra Vidyut Vitaran Company Ltd., Govindpura. MPSEB Complex, Bhopal 462023 (MP).
41. Chairman & Managing Director, MP Paschim Kshethra Vidyut Vitaran Company Ltd., GPH Compound, Pologround, Indore (MP)-452001.
42. Managing Director Maharashtra State Electricity Distribution Co. Ltd., 6F. Prakeshgadh, Plot No-G-9, Bandra E, Mumbai-400051, Maharashtra.
43. Managing Director, Ajmer Vidyut Vitaran Nigam Ltd., Old Power House, Jaipur Raod, Ajmer (Rajasthan).-305001
44. Chairman & Managing Director, Tamilnadu Generation & Distribution Corporation 800, Electricity Avenue, Anna Salai, Chennai-600002 (Tamil Nadu).
45. Managing Director, Purvanchal Vidyut Vitaran Nigam Ltd., Vidyut Nagar, PO DLW. Hydcl Colony, Bhikaripur, Varanasi-221004 (UP).
46. Managing Director, Mazdhyanchal Vidyut Vitaran Nigam Ltd., 4-A, Gokhle Marg, Lucknow 226001 (UP).
47. Managing Director, Pashehmachal Vidyut Nigam Ltd., Victoria Park, Meerut-256001.
48. Managing Director, DVVNL, 220 KV Gss, Agra Mathura Bye Pass, Sikandra, Agra-282007.
49. Chairman, West Bengal State Electricity Distribution Co. Ltd., Vidyut Bhawan, DJ Block Sector-2, Salt Lake City, Bidhan Nagar, Kolkata-700091.
50. The Secretary, Orissa State Electricity Board, Bhubaneswar-751001.
51. The Chairman-cum-Managing Director, Andhra Pradesh Power Generation Corporation Ltd., Vidyut Soudha, Hyderabad-5000802
52. The Managing Director, Chhattisgarh State Power Holding Co. Ltd., Vidyut Sewa Bhawan, Dangania, Raipur-492013.
53. The Managing Director, Chhattisgarh State Power Distribution Co. Ltd., Bhawan, Dangania, Raipur-492007
54. The Managing Director, Chhattisgarh State Power Generation Co. Ltd., Vidyut Sewa Bhawan, Dangania, Raipur-492013.
55. The Managing Director, Chhattisgarh State Power Transmission Co. Ltd., Vidyut Sewa Bhawan, Dangania, Raipur -492001.
56. The Managing Director, Chhattisgarh State Power Trading Co. Ltd, Vidyut Sewa Bhawan, Dangania, Raipur-492013.
57. The Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna-800021.
58. The Secretary, Gujrat Ujra Vikas Nigam, Sardar Patel Vidyut Bhawan, Race Course ,Vadodara-390007.
59. The Secretary, Karnatka Power Transmission Corporation Ltd., Corporate Office, Kala Bhawan, Bangalore-56009.
60. The Secretary, Meghalya State Electricity Board, Lum Jinsgshal, Round Road, Shillong 793001.
61. The Secretary, Kerla State Electricity Board, Valdhuyuthi Bhawan, Pattom, Thiruvanantha Puram-695001.
62. The Secretary, Grid Corporation of Orissa Ltd., Janpath, Bhubneshwar (Orissa)-751022.
63. The Chief Engineer Manager, Operation & Material, APEPDCL, H. No-30- 14-9, Near Saraswathi Park, Daba Gardens, Visakhapatnam-530020.