



डेडीकेटेड फ्रेट कोरीडोर कॉर्पोरेशन ऑफ़ इंडिया लि.

भारत सरकार (रेल मंत्रालय) का उपक्रम

Dedicated Freight Corridor Corporation of India Limited

A Govt. of India (Ministry of Railways) Enterprise

No. 2022/HQ/Admin/RTI-1556

New Delhi: 12.01.2023

Sh. Tarkeshwar Dubey  
West Bengal

**Subject: Providing information w.r.t. Original RTI Application received under the RTI Act 2005.**

Reference: RTI application dated 31.12.2022 (Registration No. DFCCIL/R/E/22/01318) and received through DOPT portal.

Information, as obtained from the concerned record holding office, is provided herewith as under;

S. No	Point No.	Information provided
1.	The letter of termination was issued by your office via letter dated 20.06.2022 against the work order sanctioned by our office. Moreover a reply was not received by our office against the same matter asked by our office via letter number ASSPL/785/22-23.	
2.	The payment of our invoices had been unpaid till date by your office without proper reason and justification.	
3.	No documents whatsoever demanded by our office were not submitted till date by your office.	Reply sent by this office, (Copy Enclosed)
4.	The false and concocted story was buildup by your office with the intention of non-paying of our invoices or clearance of our dues. Further penalties without any proper documentary calculation sheet were imposed by your office which had no justification whatsoever.	
5.	Continuous ignorance towards the point of submission of the documents had been received by your office which proves that your fact to be nothing but a concocted story with an intention of manipulating a MSME firm.	

First Appeal if any may be made to the First Appellate Authority within 30 days of receipt of reply. The name, designation & address of the First Appellate Authority is as under;

**Mr. Gaurav Sharma**  
**GM/Administration DFCCIL,**  
**5th Floor, Supreme Court Metro Station Building,**  
**Pragati Maidan, New Delhi-110001**

DA: 02 sheets

**(S.K. Panda)**  
**JGM/Admn.(CPIO)**  
**Mob.-9717636811**  
**E-mail: skpanda@dfcc.co.in**

पंजीकृत एवं कॉर्पोरेट कार्यालयांचवा तल ., सुप्रीम कोर्ट मेट्रो स्टेशन बिल्डिंग कॉम्प्लेक्स, नई दिल्ली 110001 -

Regd. & Corporate Office: 5<sup>th</sup> Floor, Supreme Court Metro Station Building Complex, New Delhi-110001

Tel: 91 - 11+23454700, Fax No. 91-11-23454701 Web : [www.dfccil.com](http://www.dfccil.com), CIN :U60232DL2006GOI155068



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डेडीकेटेड फ्रेट कोरीडोर कॉर्पोरेशन ऑफ इंडिया लि०  
भारत सरकार (रेल मंत्रालय) का उपक्रम  
DEDICATED FREIGHT CORRIDOR CORPORATION OF INDIA LIMITED  
A Govt. Of India (Ministry of Railways) Enterprise

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No. CGM/UMB/MAINT/Manpower-2021/01

Date: 29.10.2022

M/s Awadh Security Services Pvt. Ltd.  
5<sup>th</sup> Floor, 8 Lyons Range, Kolkata,  
West Bengal -700001.

**SUB: Providing Outsourced Manpower (Helpers) for Manning of PKYN, KNNN & GVGN Stations of EDFC during Operation & Maintenance Activities.**

**REF: Your Office Letter No. ASSPL/785/22-23 Dated 13.06.2022 (Date Deliberately mentioned wrong, whereas letter received in month of October 2022).**

Vide your letter under reference, you have acknowledged the receipt of this Office Letter No. CGM/UMB/Maint/Manpower-2021/01 dated 20.06.2022, by way of which the Contract stands terminated with immediate effect as per the SLA Para 8 penalties & Fine, due to reasons stated in the letter briefly; and further you also have acknowledged this office Letter No. CGM/UMB/Maint/Manpower-2021/01 dated 11.10.2022, by way of which it was intimated to you that this office/DFCCIL has paid the salaries of workers employed for month of May & June, which you have accepted that you failed to make payment of wages to workers in due course of time vide letter under reference.

It is for your information & Clarification vide this office letter, that there is no financial liability or legal liability on the part of DFCCIL towards ASSPL (you) on any count as per the terms & Conditions of the Contract as well as law in force of the land. Rather, the penalty have been imposed upon your firm as per the terms of the contract by this office for causing loss & breach of contract by way of Non deployment of total Manpower during contract period, the details of penalty & Clause of contract finds mentioned in the letter dated 20.06.2022, duly acknowledged by your office. Now, there is net penalty of Rs 11,441/- which is to be paid by your firm to DFCCIL within three months from its imposition. This Office have made the calculation of net penalty payable by you, after making the adjustment from the demand / bill payable to you and have deducted the amount of salaries paid to your workers due to your failure to make payment and the deduction of total penalty of Rs 2,29,563.20/- (calculated as per contract finds mentioned in this office letter dated 20.06.2022), imposed upon your firm for breach of contract and thereafter balance amount of Rs 11,441.24/- is recoverable from your firm on account of penalty. The referred provisions of law have been misinterpreted by your firm and rather are against you, by way of which you are liable, and actions shall be initiated against your for default on your part at every juncture.

**That the Parawise reply to your letter under reference is as under:**

- (i) Para No. I of your letter acknowledges your failure in payment of wages to your workers, against which this Office have made the payments of your workers on their demand as per law, hence needs no reply to that extent. However, it is the responsibility of the Contractor to make payment of wages to Contract labour and it is only on due to failure on your Part to make payment to wages to Contract labour, the said payment was made by this Office which

Corporate Office: 5th Floor Supreme Court Metro Station Building Complex, New Delhi-110001, Tel: 011-23454700,  
Fax: 11-23454701, Registered Office: Room No. 101A Rail Bhawan, Raisina Road, New Delhi-110001, Web: [www.dfccil.gov.in](http://www.dfccil.gov.in)  
Project Office (Ambala Unit): Old Railway Colony (Near Anand Market), Ambala Cantt-133001. Telefax: 0171-2612412,  
Corporate Identity Number: U60232DL2006GOI155068



डेडीकेटेड फ्रेट कोरीडोर

डेडीकेटेड फ्रेट कोरीडोर कार्पोरेशन ऑफ इंडिया लि०  
भारत सरकार (रेल मंत्रालय) का उपक्रम (350)  
DEDICATED FREIGHT CORRIDOR CORPORATION OF INDIA LIMITED  
A Govt. Of India (Ministry of Railways) Enterprise

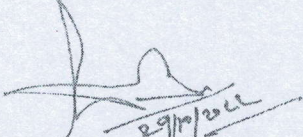
which this office is liable to pay to your office and rather your office is liable to pay the overdue penalty to this Office.

5. Point No.5 of Para No. III of your letter is false, incorrect, wrong and denied. There is no financial liability on the part of this Office and whatever amount was pending have been adjusted towards the penalty imposed due to breach of Contract as per the terms of SLA & payment of salaries of Contract Labour of your Firm and the remaining balance amount of Rs 11,441/- is recoverable from your firm. The Sub Point (b) is also incorrect and denied. There is no liability upon this office to pay the Claimed benefits of employees/workers of your firm.

Thus, from the above detailed reply, it is very much clear that there is no financial liability upon this Office to your Firm and the Contract Stand Terminated. Rather, it is your Firm, is liable to pay amount of Rs 11,441.24/- to DFCCIL on account of penalty for breach of terms of Contract.

That after going through your letter under reference, it seems that you have been misguided and have been victim of some ill advise due to which, you have been sending letters under reference time & again, under some misinterpretation of the codified law and the General & Special Conditions of the contract. It is for your information that your firm is liable to pay the penalty amount of Rs 11,441.24/- to this office (DFCCIL) and you are advised through this office letter to make the payment of the above said amount instead of sending letters, within the time given to your Office. In case of your failure to make the payment of the amount demanded, this Office will initiate action against you as per rules for recovery of same, which will be strictly at your cost and responsibility.

Take Note Accordingly for Necessary Action.

  
for Chief General Manager  
DFCCIL/ Ambala.

Copy to: -

- (i) CGM/UMB: - For your Kind information Pl.
- (ii) Dy. CGM/Engg. /UMB: - For your Kind information Pl.
- (iii) PM/Elect-II/UMB: - For your Kind information Pl.