



डेडीकेटेड फ्रेट कोरीडोर

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. 2020/HQ/Admin/RTI-596

New Delhi: 19.08.2020

**Sh. Ajay Basudev Bose**  
Maharashtra

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

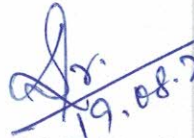
**Reference: Your RTI Application dated 31.07.2020 received through DOPT.**

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

S.No	Point No.	Information sought for	Information provided
1.	1	Refer the original application dt. 31.07.2020	Copy of Termination letter attached.
2.	2	-do-	World Bank NOC not yet received.
3.	3	-do-	Under Finalization.
4.	4	-do-	New tender not yet floated.
5.	5	-do-	Not finalized yet.
6.	6	-do-	Yet to be assessed.

Hope the above information is complete and satisfactory. If not, then you can appeal within 30 days of receipt of the letter to the 1st Appellate Authority whose name and address is as under;

**Ms. R. P. Chhibber**  
GM/Administration DFCCIL,  
5th Floor, Supreme Court Metro Station Building,  
Pragati Maidan, New Delhi-110001.

  
19.08.2020

(S.K. Roy)

Dy. G.M./Admn.(PIO)

E-mail: skroy@dfcc.co.in

011-23454707

DA: 02 sheets

No. ALD (W)/S&amp;T/CM-CP203/1019 (A) Vol-III/129

Date: 17.07.2020  
Without Prejudice

M/s. Beijing National Railway Research & Design Institute of Signal & Communication Group Co. Ltd.,  
Building No.12, Block-1 of Advanced Business Park,  
No. 188 Nansihuan Xilu Fengtai District,  
Beijing, China.

Sub: Design, Supply, Construction, Testing and Commissioning of Signaling, Telecommunication and associated Works of Double Track Railway Lines Under Construction on a Design Build Lump Sum Basis for Mughalsarai-New Bhaupur Section of Eastern Dedicated Freight Corridor-Contract Package No. 203:- **Reg. Termination Notice in accordance with clause 15.2 of GCC/PCC.**

## Ref:

- (i) LOA No. HQ/S&T/EC/CP-203/Bid Eval./64/Part V dated 23.06.2016.
- (ii) Contract Agreement No. HQ/S&T/EC/D-B/ Mughalsarai-New Bhaupur dated 03.10.2016.
- (iii) PMC's Letter No. PMCS/EDFC2/LTT/2016/4450 dated 19.12.2016.
- (iv) PMC's Letter No. PMCS/EDFC2/LTT/2017/03464 dated 24.06.2017.
- (v) PMC's Letter No. PMCS/EDFC2/LTT/2018/01274 dated 22.02.2018.
- (vi) PMC's Letter No. PMCS/EDFC2/LTT/2018/02135 dated 27.03.2018.
- (vii) PMC's Letter No. PMCS/EDFC2/LTT/2018/04286 dated 07.06.2018.
- (viii) PMC's Letter No. PMCS/EDFC2/LTT/2018/08593 dated 20.11.2018.
- (ix) PMC's Letter No. PMCS/EDFC2/LTT/2018/06343 dated 01.08.2019.
- (x) PMC's Letter No. PMCS/EDFC2/LTT/2019/07986 dated 01.10.2019.
- (xi) PMC's Letter No. PMCS/EDFC2/LTT/2019/09088 dated 18.11.2019.
- (xii) PMC's Letter No. PMCS/EDFC2/LTT/2020/00896 dated 30.01.2020.
- (xiii) PMC's Letter No. PMCS/EDFC2/LTT/2020/02105 dated 11.03.2020.
- (xiv) This office Letter No. ALD(W)/S&T/CM-CP203/1019 (A) Vol-III dated 03.07.2020.
- (xv) CRSCD's Letter No EDFC2/CP203/DFCCIL/0840/2020/0713 dated 13.07.2020.
- (xvi) PMC's Letter No. PMCS/EDFC2/LTT/2020/04940 dated 14.07.2020.
- (xvii) This office Letter No. ALD(W)/S&T/CM-CP203/1019 (A) Vol-III dated 16.07.2020.

Whereas a contract agreement between DFCCIL (Employer) and M/s Beijing national Railway Research & Design Institute of Signal & Communication Group Co. Ltd., (Contractor) for the work captioned in subject line is in force with extended time of completion being 18.02.2021. The contract is being administered by M/s SYSTRA Mott MacDonald (JV) as PMC.

Whereas the contractor has been issued 10 nos. notices vide reference (iii) to (xii) under sub-clause 15.1 of GCC/PCC by Engineer. Even after issuing 10 nos. notices under sub clause 15.1 of GCC/PCC by the Engineer, no compliance of the Notices has taken place.

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17.7.20

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The Engineer having convinced of the Contractor's failures and defaults under the contract, Engineer vide reference (xiii) recommended DFCCIL to take necessary action as per the provision in the contract to invoke notice to Contractor as per Clause 15.2 (Termination by Employer) of GCC/PCC for noncompliance of clause 15.1 of GCC/PCC by Contractor for notice issued to him to improve the progress of work and requested Employer for taking needful action in the matter.

Whereas Employer has issued 14 days notice for termination vide reference (xiv) in accordance with Clause 15.2 of GCC/PCC. Contractor replied 14 days notice vide reference (xv). PMC vide letter under ref (xvi) has reiterated its recommendation for termination of contract as per clause 15.2(a) of GCC/PCC and same was conveyed to contractor vide this office letter under ref (xvii).

And whereas the above and other correspondences of the Engineer including the replies submitted by the Contractor as of date, materials available on record, having been duly considered by the Employer and in the light of the same, the Employer hereby terminates this contract as per the terms and conditions of GCC/PCC Clause 15.2 (a) of the Contract Agreement.

Further, the Contractor is hereby also served with a notice to the effect that the work executed by them will be measured by the Engineer, for which they are directed to attend for joint measurement on the date and time as will be intimated in due course, failing which the work will be measured by the Engineer unilaterally in absence and the result of the measurement will be final and binding on the Contractor. The Employer shall also take such further action as is authorized under the General Conditions of Contract and Particulars Conditions of Contract and in particular for exercise of its right conferred under GCC/PCC Clause 15.2. (Termination by the Employer).

The course of action as mentioned hereinbefore and provided in GCC/PCC Clause 15.2, shall be without prejudice to the Employer's rights to take action under any other clause or sub-clauses of the contract and to realize any dues, losses and damages whatsoever under such clause or sub-clauses of Contract and under the Laws of Republic of India, as the case may be:

Chief General Manager  
DFCCIL/ALD(W)

Chief General Manager  
Dedicated Freight Corridor  
Corporation of India Ltd.

Copy to:-

- (i) GGM/S&T-I/EC for kind information please.
- (ii) Team Leader/PMC, M/s SYSTRA Mott MacDonald (NPSI copy for necessary action please.)  
ALLAHABAD
- (iii) M/s. Beijing National Railway Research & Design Institute of Signal & Communication Group Co. Ltd., Shastri Bhawan, 8-A, Mayo Road, Shiv Ramdas Gulati Marg, Allahabad-211001 for necessary action please.

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