

Reply to Original Application

No. 2017/HQ/Admin/RTI-**252**

New Delhi:29.01.2018

Shri Nikhil Anand
J 52D/1, Beriwal Bagh,
Harinagar-110064
Delhi

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

Reference: Original Application dated 28.11.17 received on 01.12.17 from Shri Nikhil Anand.

The information received is provided herewith as under;

Information	Reply
<p>➤ Whether DFCCIL has awarded the job of construction under Eastern Freight Corridor to TATA- ALDESA (JV) in Tundla area under Package 102. If YES- then kindly provide the name and cost of the project.</p>	<p>Yes, DFCCIL has awarded the following job to M/s. Tata- Aldesa (jv): Name of Project Design & Construction of Civil, Structures and Tack works for Double Line Railway – Involving Formation in Embankment/Cuttings Ballast on Formation Track Works Bridges, Structures, Buildings including testing & commissioning on Design – Build Lump Sum Basis for Bhaupur – Khurja Section Dedicated Freight Corridor CP LOT-102. Cost is Rs. 9496425840/-</p>
<p>➤ Whether appointing of sub-contractors under TATA-ALDESA (JV) has been approved by DFCCIL/EDFCCIL. If YES- kindly provide the details of such sub- contractors and cost of each individual contracts.</p>	<p>Yes, Appointment of Subcontractors approved by engineer/Employer after satisfying certain criteria mention in the Contract Agreement for Execution of civil construction work. Approved Subcontractors by Engineer upon request by Tata- Aldesa (JV) as follows: 1) M/s MG Contractors Pvt. Ltd</p>

OK



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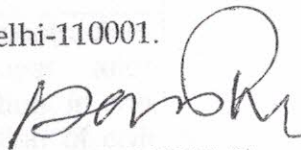
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	<p>2) M/s A.M Infra.tech 3) MPR Construction 4) MK Contractors & Suppliers.</p> <p>Cost of work as per agreement between Tata-Aldeša and its Sub contractor.</p>
<p>➤ Whether any sub-contract has been awarded to M G contractors Pvt. Ltd. If YES – then kindly provide the details of that sub-contract.</p>	<p>YES. M/S M G Contractors Pvt. Ltd is approved Sub contractor of our main Contractor TATA-ALDESA (JV). Tata-Aldeša JV had subcontracted the portion of work of earthwork, blanketing, minor bridges.</p>
<p>➤ Whether payment of sub-contractor of TATA-ALDESA (JV) is protected by DFCCIL/EDFCCIL. If yes- kindly provide the? Clause under which such protection is provided. If NO- the reason for the same.</p>	<p>NO As per Contract Agreement Sub clause 4.4 the main "Contractor shall be responsible for the acts or defaults of ay Sub contractor, his agents or employees, as if they were the acts of or defaults of the Contractor"</p>
<p>➤ In case the payment is not disbursed by TATA-ALDESA (JV) to his/their sub-contractors, then whether such payments are guaranteed by DFCCIL/EDFCCIL. If YES – kindly provide the details of such guarantee of payment by DFCCIL/EDFCCIL. If NO- the reason for non protection.</p>	<p>NO Pursuant to the Contract Agreement main contractor is Sole responsible for payment to its sub-contractor.</p>
<p>➤ In case of any dispute in payment between TATA-ALDESA (JV) and its sub-contractors, kindly provide the copy for any arbitration clause for matters of payment to be settled between DFCCIL/EDFCCIL and TATA-ALDESA (JV)</p>	<p>As per term & condition agreed in between TATA & its sub contractor. The may keep dispute (in case of dispute arrive in between them out of execution of work) resolution procedure by mediation/conciliation/arbitration during their agreement. However, Disputes between DFCCIL and Tata-Aldeša may be adjudicated by a Dispute Adjudication Board in accordance with Sub clause 20.4</p>

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;

Shri Satish Kothari, GGM/ Administration DFCCIL,
5th Floor, Pragati Maidan Metro Station Building, New Delhi-110001.


(S.K.PANDA)

Dy. G.M/Admn.(PIO)

E-mail: skpanda@dfcc.co.in

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Copy to:

1. CPM/DFCCIL, 3/20, 3rd Floor, KPS Tower, For information and record
Mayur Complex, Nagla Padi, Near Tulsi Cinema,
NH-02, Agra-282 002