

ORDER

- (i). HAREDA had released the work order vide letter No. 4420 dated 20.11.11 for supply, installation and commissioning of Grid Interactive SPV Power Plant of 45 KW capacity without battery back up at Haryana Raj Bhawan to Lanco Solar Energy Pvt. Ltd, Gurgaon @Rs.72.00 lacs (Rs.68.00 lacs as project cost and Rs.4.00 lacs as five years CMC Charges after expiry of five year warranty period) inclusive of all taxes, with complete operation and maintenance of the power plant for a period of 10 years i.e. 5 year warranty and thereafter, 5 years CMC period.
- (ii). As per the work order, the plant was to be commissioned within three months from the date of work order i.e. by 19.01.2011. The said company has completed all the work and the plant was to be commissioned on 07.03.2011 but, it could not be commissioned due to want of permission from UT Electrical Department which was conveyed to the company on 03.05.2012 and plant was commissioned on 16.05.2012.
- (iii). HAREDA had released 100% payment for supply and installation and commissioning of Rs 66.64/- lacs after deducting penalty of Rs. 1,36,000/- to the company. Balance CMC charges of Rs. 4.00 lacs were not released yet, this payment is to be released after expiry of 5 years warranty period & start of CMC period of 5 years on yearly basis @ 20% per year. After expiry of warranty period, the CMC has come into effect w.e.f. 16.05.17 till 15.05.2022. The office has already retained CMC charges of Rs.4.00 lacs for 5 year & EMD Rs. 1.50 lac i.e. total Rs. 5.50 lacs for care & maintenance of the plant till 2022.
- (iv). The said company had submitted bank guarantee No. 0346412BG 0000253 dated 06.08.2012 for Rs.10,20,000/- (Rupees Ten Lac Twenty Thousand Only) as performance security @15% of the work value as per terms of the work order which is valid for five year i.e. 30.07.2017. However, it was required that the bank guarantee should be valid for 10 years. Accordingly, vide letter no. 2859 dated 29.08.12 the bank guarantee was returned to the company with the advice to submit the bank guarantee valid for 10 years. In its reply, the company vide letter no. LSEPL/PSG/RT/HRB/001 dated 04.09.2012 had given undertaking that the bank issues bank guarantee for maximum validity of five years, therefore they will extend it for further five years before the expiry of this BG. But the company has not renewed the bank guarantee before its expiry i.e. 30.07.2017 and have not submitted the extended bank guarantee.
- (v). Thereafter, the said company was advised vide letter no. 2957 dated 11.09.17 followed by various reminders dated 23.01.18, dated 13.02.18, dated 06.03.2018 alongwith a copy to bank & followed by repeated telephonic messages to Sh. Rajesh Kumar on 11.09.17, 28.09.17, 17.10.17, Sh. Anilya Saha on 19.01.18 & 12.02.18 & Sh. Dilip Kodali on dated 12.02.18, 05.03.18, 16.03.18, 21.03.18, 30.03.18 to further renew the bank guarantee for further five years as per term and conditions of the work order and submit the original extended Bank Guarantee to this office. But the company has not submitted extended Bank Guarantee and also closed its Solar Division.
- (vi). Parallely, Central Bank of India, New Delhi (Bank guarantee issuer bank) was also requested vide letter no. 5335-36 dated 06.03.2018 to renew the bank guarantee but they have informed that the said bank guarantee stands closed at their end.

- (vii). Thereafter, the performance of said project was checked and it is found that the plant is working satisfactorily and even one technician deputed by said company is regularly maintaining the plant.
- (viii). Accordingly, it has been decided by the competent authority that the said supplier may not be blacklisted as it is maintaining the project in spite of its solar division having been closed. However, it is ordered that this company should not be given any work by the department if it reopens solar division as said company has not extended the performance bank guarantee as per the terms and conditions of the work order.



Project Director,
For, Additional Chief Secretary, New & Renewable
Energy Department, Cum Chairman, HAREDA,
Panchkula, Haryana.

U.O. No. /NRE/2020/ 711-715

dated: 25/02/2020.

A copy of above letter is endorsed to the following for information and compliance.

- (i) P.A. to W/DGNRE, for information of W/DGNRE.
- (ii) All Supervisory Officers of NRE & HAREDA.
- (iii) All Project Officers & Assistant Project Officers of NRE.
- (iv) All Officers of HAREDA.
- (v) Programmer, NRE for upload on website.