

K-14011/66/2004-MRTS (Vol. II)
Government of India
Ministry of Urban Development
(MRTS Cell)

Nirman Bhawan, New Delhi,
Dated the 7th June, 2011

To

1. MD, DMRC, New Delhi
- ✓ 2. MD, BMRCL, Bangalore, Karnataka.
3. MD, KMRCL, Kolkata, W.B.
4. MD, CMRCL, Chennai, T.N.
5. Commissioner, MMRDA, Mumbai
6. MD, Mumbai Metro Rail Corporation, Mumbai
7. MD, HMRCL, Hyderabad, A.P.
8. MD, JMRCL, Jaipur, Rajasthan.

Sub: Blacklisting [Suspension/Banning (debaring) of business/deregistration] – Action by DMRC.

Many of the tenders called by various metro rail corporations are having qualifying criteria that the firm should not have been blacklisted in last five/ten years by any organization. In this connection, it is to clarify that the formal terms as per the Ministry of Urban Development's Circular No.113011/1/72-W-4 dated 20.9.76 issued by this ministry are "suspension/banning of business/de-registration". It is important to note that suspension/banning of business can be for an infinite period or a limited period. Debaring and banning are synonymous terminology. Blacklisting as understood in common parlance is a list prepared by department/organization for its own use listing all such firms/contractors with whom suspension/banning (debarment) or de-registration is in force by any organization. In fact the term "blacklisting" is never used in any formal communication from department/organization to any firm.

2. It has been observed that there has been some lack of clarity in interpretation of the term blacklisting/debarring by various organizations. Since debarring and banning are synonymous terminology, the action of debarment would also tantamount to "blacklisting" as understood in the common parlance.

3. Since the action of suspension/banning of business/de-registration by any one organization, even if done for that particular organization, would have an impact on the credentials of the firm for consideration in other organizations, it may please be ensured that any such action by any organization is advised to this ministry and other metro rail corporations for information immediately. This information should also be hosted on the organization's website as well.

4. On Delhi Metro Rail Corporation two major accidents happened in the past, namely, Laxminagar accident in October 2008 and Zamrudpur accident in July 2009. DMRC has taken following actions against the firms involved :

- i. M/s Afcons Infrastructure Ltd. was debarred from quoting in DMRC work for a period of one year w.e.f. 16-3-2009 and the Project manager as well as the Launching Incharge of M/s Afcons Infrastructure Ltd. were demobilized from the contract.
- ii. M/s Arch Consultancy Services Pvt. Ltd. have been banned from services for five years w.e.f. 15-9-2009.
- iii. M/s Tandon Consultants were debarred from DMRC works for a period of one year w.e.f. 29-7-2009.
- iv. M/s Gammon India Ltd. has been debarred for entrusting any new contract(s) in DMRC for a period of two years w.e.f. 20-10-2010.

5. The above information regarding banning/debarment is for your information and necessary action while deciding tenders as per the tender conditions of each tender.

This issues with the approval of the competent authority.



(S.K. Lohia)
7/6/10

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