



**उत्तर प्रदेश पावर कारपोरेशन लिमिटेड**  
(उत्तर प्रदेश सरकार का उपक्रम)  
**U.P. POWER CORPORATION LIMITED**  
(Govt. of Uttar Pradesh Undertaking)  
CIN : U32201UP1999SGC024928

संख्या-2001-कार्य/चौदह-पाकालि/2022-10-के/2021

दिनांक: 03 सितम्बर, 2022

**कार्यालय-ज्ञाप**

उ0प्र0 पावर कारपोरेशन लि0 एवं उसके सहयोगी वितरण निगमों के साथ व्यापार करने वाली फर्मों को कतिपय कारणों से प्रतिबन्धित (Debar) करने/काली सूची में डालने (Blacklist) हेतु परिस्थितियाँ (Circumstances), प्रक्रिया (Procedure) एवं प्रतिबन्धित/काली सूची में डाले जाने के आदेश के निरसन (Revocation) की प्रक्रिया का निर्धारण अनुलग्नक-1 के अनुसार तथा उक्त प्रक्रियाओं को प्रारम्भ (initiate)/अनुमोदन (approval) करने हेतु स्तरों (Levels) का निर्धारण अनुलग्नक-2 के अनुसार एतद्वारा किया जाता है।

**अध्यक्ष**

**संख्या-2001(i)-कार्य/चौदह-पाकालि/2022, तददिनांक।**

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

- 1 अध्यक्ष, उ0प्र0 पावर कारपोरेशन लि0, शक्ति भवन, लखनऊ।
- 2 प्रबन्ध निदेशक, उ0प्र0 पावर कारपोरेशन लि0, शक्ति भवन, लखनऊ।
- 3 प्रबन्ध निदेशक, पूर्वान्चल/मध्यांचल/दक्षिणांचल/पश्चिमांचल, वि0वि0नि0लि0, वाराणसी/लखनऊ/आगरा/मेरठ एवं केस्को-कानपुर।
- 4 निदेशक (का0प्र0 एवं प्रशा0/वित्त/वितरण/वाणिज्य/कारपोरेट प्लानिंग/आई0टी0), उ0प्र0 पावर कारपोरेशन लि0, शक्ति भवन, लखनऊ।
- 5 निदेशक (का0प्र0 एवं प्रशा0/वित्त/वितरण/वाणिज्य), पूर्वान्चल/मध्यांचल/दक्षिणांचल/पश्चिमांचल वि0वि0नि0लि0, वाराणसी/लखनऊ/आगरा/मेरठ एवं केस्को-कानपुर।
- 6 अपर सचिव-I,II,III, उ0प्र0 पावर कारपोरेशन लि0, शक्ति भवन, लखनऊ।
- 7 मुख्य महाप्रबन्धक (लेखा एवं सम्प्रेक्षा), उ0प्र0 पावर कारपोरेशन लि0, शक्ति भवन लखनऊ।
- 8 समस्त मुख्य अभियन्ता (सामग्री प्रबन्ध/वितरण), पूर्वान्चल/मध्यांचल/दक्षिणांचल/पश्चिमांचल वि0वि0नि0लि0, वाराणसी/लखनऊ/आगरा/मेरठ एवं केस्को-कानपुर।
- 9 समस्त अधीक्षण अभियन्ता (वितरण/भण्डार), पूर्वान्चल/मध्यांचल/दक्षिणांचल/पश्चिमांचल वि0वि0नि0लि0, वाराणसी/लखनऊ/आगरा/मेरठ एवं केस्को-कानपुर।
- 10 समस्त संयुक्त सचिव, उ0प्र0 पावर कारपोरेशन लि0, शक्ति भवन, लखनऊ।
- 11 अधिशासी अभियन्ता (वेब), कक्ष संख्या-407, उ0प्र0 पावर कारपोरेशन लि0, शक्ति भवन विस्तार, लखनऊ को वेबसाइट-www.uppcl.org पर अपलोड करने हेतु।
- 12 कट फाइल।

आज्ञा से,

मूर्गान भट्टमिश्र  
(मृगाक शेखर दाश भट्टमिश्र)  
निदेशक (का0प्र0 एवं प्रशा0)

**Circumstances and procedure for banning Business with firms/ blacklisting of firms and revocation of debarring/blacklisting order**

**1 Debarring of Contractor (High Risk Contractor)**

An order banning business with a Firm for a period of six months to three years may be issued where the conduct of the Firm is not serious enough to merit blacklisting but at the same time is of such a nature that debarring contractor is justified in the interest of Employer.

**1.1 Circumstances of Debarring of Contractor**

The grounds of Debarring may be as follows:


- i. Persistent and intentional violation of important terms of the contract
- ii. Failure to execute the works satisfactorily/unfaithful execution of the contract.
- iii. Delay in progress of execution of Work in spite of issue of two notices and reminders.
- iv. Misbehavior / ill-treatment to department officials or,
- v. Disregarding safety measures and causing any loss of life or property

**1.2 Procedure of debarring a contractor is as follows**

- i. A SHOW CAUSE NOTICE will be issued to the contractor seeking his explanation for the lapses committed by him and in case of Joint Venture, /consortium, the SHOW CAUSE NOTICE will be issued to all the parties of Joint Venture, /Consortium. The notice will be sent upon contractor through E-mail/ Speed Post/ Registered Post/Courier.
- ii. The Contractor's explanation will be expected within 15 days from the issue of the letter. In case his explanation is not found satisfactory, decision of debarring contractor for six months to three years, depending upon the severity of lapses, will be taken..
- iii. Even after debarring, the contractor will be allowed to complete his ongoing works, unless otherwise rescinded by competent authority on grounds of breach of conditions of contract.
- iv. In case of JV/consortium, all the partner firms shall be deemed as debarred.

**1.3 Approval for debarring & debarment time period**

- i. The decision on debarring of Contractor shall be taken by a Competent Committee/authority as per delegation of power.
- ii. Employer may temporarily ban the Contractor for a short period not exceeding one year. However, order of banning to a Contractor/firm shall be extended for a period up to Three (03) years depending upon the quantum of guilt.
- iii. In this respect, an office order shall be issued intimating the concerned departments for information.
- iv. All such debar order shall be uploaded in the Employer's website for information of Public/concerned.



## **1.4 Revocation of debarring Order**

Normally, a debarring order shall ordinarily not be revoked unless;

- i. The period specified therein, if any, has expired; or
- ii. On a review, the Competent Committee/Authority as per delegation of power is of the opinion that the punishment already meted out is adequate in the circumstances of the cases; or
- iii. Where the firm is honorably acquitted of the charge(s) by a competent Court.

## **2 Blacklisting of Contractor(s)**

Blacklisting of the Contractor(s) shall mean any Act or Commission by the Contractor which leads or would have led to an unfair gain to himself and less to the Employer and where there are sufficient reasons to believe that the Contractor has committed serious offence under the following circumstances for which reason Competent Committee of Employers empowered to blacklist the Contractor(s).

### **2.1 Circumstances of Blacklisting**

Following are the circumstances of blacklisting;

- i. If, found to be involved in any sort of tender fixing/cartel formation/bid rigging/collusive bidding.
- ii. If contractor has submitted documents found to be false/fabricated/forged.
- iii. If Contractor has defrauded Employer in terms of quality of the equipment supplied and erection.
- iv. If Employer has suffered huge financial loss due to the act of Contractor,
- v. If, there is security consideration including questions of loyalty to State warrants per recommendations of Ministry of Home Affairs.

### **2.2 Procedure of blacklisting of contractor**

- i. A SHOW CAUSE NOTICE will be issued to the contractor seeking his explanation for the lapses committed by him. The notice will be sent upon contractor through E-mail/ Speed Post/ Registered Post/Courier. His explanation will be expected with 15 days from the issue of letter.
- ii. In case his explanation is not found satisfactory, decision of blacklisting contractor for two years to five years depending upon the intensity of lapses, will be taken by an appropriate committee/authority as per delegation of power.
- iii. A blacklisting order shall be issued in the name of the contractor with due intimation to the other department concerned. The black listing order shall also be uploaded in the Employer's website.
- iv. In case of JV/consortium, all the partner firms shall be deemed as blacklisted.

### **2.3 Revocation of Blacklisted Order**

The blacklisting order should ordinarily not be revoked unless;

- i. On review at a later date by a Competent Committee/Authority as per delegation of power, is of the opinion that there is sufficient justification to revoke the order of blacklisting or
- ii. In respect of the same offence, the accused has been honourably acquitted by a court of law or
- iii. The period specified therein, if any, has expired.

*Psm*

**LEVELS OF INITIATING/APPROVING AUTHORITY FOR  
BLACKLISTING**

Approving Purchase / Works Committee	Authority for Blacklisting	
	Initiating	Approving
Superintending Engineer Purchase / Works Committee	Executing/ *Contract awarding Authority	Concerned Chief Engineer
Chief Engineer (Distribution) Store Purchase / Works Committee	Executing/ *Contract awarding Authority	Concerned Director (Discom)
Director (Discom) Stores Purchase / works Committee	Executing/ *Contract awarding Authority	Managing Director (Discom)
Managing Director, Discom Store Purchase / Works Committee	Executing/ *Contract awarding Authority	Chairman
Superintending Engineer, UPPCL Purchase / Works Committee:	Executing/ *Contract awarding Authority	Concerned Chief Engineer
Chief Engineer, UPPCL Store Purchase / Works Committee	Executing/ *Contract awarding Authority	Concerned Director
Director, UPPCL Stores Purchase / works Committee	Executing/ *Contract awarding Authority	Managing Director, UPPCL
Managing Director, UPPCL Corporate Store Purchase / Works Committee	Executing/ *Contract awarding Authority	Chairman
Corporate Store Purchase / Works Committee (CSPC) of UPPCL	Executing/ *Contract awarding Authority	Chairman (Post facto approval of BOD)

**Note-** (\*) For contracts under award process for any reason such as fraudulent submission/documents, deliberate under quoting and precipitating issues for retendering etc.the contract awarding authority will initiate for blacklisting/ banning of business dealing.

In all other cases it will be initiated by Executing officer (EO).

