



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated Under the Companies Act, 1956)

Corporate Identity No.U40100KL2011SGCO27424

Registered Office: Vydyuthi Bhavanam, Pattom, Thiruvananthapuram-
695004, Kerala, India,

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Abstract

Petition filed by M/s.Shankar Conductors Pvt. Ltd. before the Hon'ble Kerala State Electricity Regulatory Commission vide OP No.16/2021- Final order implementation-direction - Sanctioned - Orders issued.

Corporate Office (Supply Chain Management)

B.O.(FTD)No.560/2021 (SCM/XT/AEE 4/ 129/2020-21/ACSR Wolf, Moose, Dog) Dated,
Thiruvananthapuram 26/07/2021

Read:- 1) E-tender No.KSEB/SCM/eP.86/2020-21 dated 04/02/2021.

- 2) Petition OP 16/2021 filed by M/s.Shankar Conductors Pvt. Ltd. before the Hon'ble Kerala State Electricity Regulatory Commission.
- 3) Order of the Hon'ble KSERC dated 26/05/2021 in OP No.16/2021.
- 4) Letter No.GL-8699/2021/CE dated 24/06/2021 of the Chief Electrical Inspector, Thiruvananthapuram..
- 5) Note No.SCM/XT/AEE4/129/2020-21/ACSR Wolf, Moose, Dog/2298 dated 29/06/2021 of the Chief Engineer (SCM) submitted to the Director (Generation-Electrical & SCM).
- 6) Note No.SCM/XT/AEE4/129/2020-21/ACSR Wolf, Moose, Dog/2396 dated 05/07/2021 of the Chief Engineer (SCM) submitted to the Full Time Directors through the Director (G-E & SCM) (Agenda 15/7/21).

ORDER

E-tender read as 1st above had been invited for the procurement of 1500km ACSR Wolf, 13km ACSR Moose & 200km ACSR Dog and 15 Nos. of bidders participated in the tender. M/s.Shankar Conductors participated in the bid as New Entrant and wrongly remitted the Bid submission fee and 10% of EMD and then filed a petition before the Hon'ble KSERC;

- i) To refund the bid submission fee and EMD based on the Government order, G.O.(P)No.63/2016/SPD dated 18/02/2016.
- ii) The firm is having 'BIS License and hence should be considered technically qualified and factory inspection should not be required. The tender form should be modified accordingly.

After conducting hearing, the Hon'ble KSERC as per order read as 3rd above, ordered the following:

- 1) KSEB Limited shall based on the G.O(P) No.03/ 2016/SPD dated 18/02/2016, exempt all the MSME in the state of Kerala from remitting EMD and Bid submission Fee while participating in the tenders floated by KSEB Limited, irrespective of whether the bidder is 'New Entrant' or not.
- 2) To refund the EMD and bid submission Fee wrongly remitted by the Petitioner in the tender dated 04/02/2021 amounting to Rs.2,48,710/- within one month from the date of receipt of a formal request from the petitioner with details to facilitate the refund of the amount.

In the NIT of the above tender, it is prescribed that "MSME with Udyog Adhar Registration are exempted from remitting EMD & Bid submission fee on producing valid documents in support of the claim. If the bidder is 'New Entrant', EMD will be 10% of the total EMD amount which shall be remitted as specified in the New Entrant Clause (28) in Annexure-I".

In order to comply the order, the NIT is to be changed to "MSME with Udyog Adhar Registration are exempted from remitting EMD & Bid submission Fee on producing valid documents in support of the claim irrespective of which the bidder is 'New Entrant' or not.

The subject tender was opened on 05/03/2021 and there were 15 participants of which 3 bidders are declared as 'New Entrants' viz., M/s.Shankar Conductors (P) Limited, Kollam, M/s.M.K.Cables, Kochi and M/s.Palriwal Industries (P) Limited, Ranchi, Jharkhand.

M/s.Shankar Conductors (P) limited has participated for two items viz., ACSR Wolf and Dog Conductors. The Factory inspections of M/s.Shankar Conductors (P) Limited were conducted during 2017, 2018, 2019 & 2020 as per the tender conditions of the subject tenders. But the inspecting officers submitted non satisfactory reports about the firm. The firm filed a petition vide OP16/2021 before the Hon'ble Kerala State Electricity Regulatory Commission in order to cancel the condition of factory inspection for Pre-qualification. The Hon'ble Commission in its interim order dated

30/04/2021 has clarified that it does not intend to interfere in the procedure followed by the licensee to ascertain the capability of the bidders participated in the tender.

M/s.M.K.Cables, Ernakulam participated for 3 items, viz., ACSR Wolf, Moose & Dog. The inspection report at their premises during 2019 was satisfactory for ACSR Wolf Conductor and now the firm is to be inspected for ACSR Moose Conductor.

The following team was nominated with the concurrence of the Director (Transmission & System Operation) to conduct inspection at both the firms.

- 1) The Deputy Chief Engineer, Transmission Circle, Kottarakkara.
- 2) The Assistant Executive Engineer, 220kV Substation Subdivision, Kundara.

As per the direction from the Director (G-E& SCM) dated 22/06/2021, to incorporate an independent member in the team of inspecting officers, Smt.Deepa.T.T, Deputy Electrical Inspector, Office of the Electrical Inspector, Kollam was nominated as per letter read as 4th above for inclusion in the team to conduct Pre-qualification inspection at the factory.

The matter was placed before the Full Time Directors as per note read as 6th above.

Having considered the matter in detail, the Full Time Directors in the meeting held on 12/07/2021;

- 1) Resolved to accord sanction to adopt the change in the NIT as ordered by KSERC to the effect that, "MSME with Udyog Adhar Registration are exempted from remitting EMD & Bid submission Fee on producing valid documents in support of the claim irrespective of which the bidder is 'New Entrant' or not" be made for future tenders and for already floated tenders which are not opened for evaluation and to update the bid documents accordingly.
- 2) Further resolved to depute the following engineers for conducting factory inspection of M/s.Shankar Conductors (P) limited, Kollam and M/s.M.K.Cables Ernakulam.
 - 1) Smt.Mary John, Deputy Chief Engineer, Transmission Circle, Kottarakkara.
 - 2) Smt.Jasmin Rozario, Assistant Executive Engineer, 220kV Substation Subdivision, Kundara.

- 3) Sri.Santhosh Babu, Assistant Engineer, 110kV Substation, Perinadu.
- 4) Smt.Deepa.T.T, Deputy Electrical Inspector, Office of the Electrical Inspector, Kollam

Orders issued accordingly.

BY ORDER OF THE FULL TIME DIRECTORS

Sd/-
Lekha. G
Company Secretary In Charge

To
The Chief Engineer (SCM)

Copy to:-

- ❖ The Chief Engineer (Transmission South/ North).
- ❖ The Legal Advisor & Disciplinary Enquiry Officer.
- ❖ The Financial Advisor, Vidyuthi Bhavanam, Thiruvananthapuram.
- ❖ The Deputy Chief Engineer (IT), KSEB Limited.
- ❖ The TA to Chairman & Managing Director/ Director (Distribution, IT & HRM)/
- ❖ Director (G-E & SCM)/ Director (Transmission & System Operation)/
- ❖ Director (Planning, Safety & REES)/ Director (Generation-Civil).
- ❖ The PA to Director (Finance)/Senior C.A. to Secretary (Administration)/
- Company Secretary.
- ❖ The Fair Copy Superintendent, Board Secretariat.
- ❖ The Library, KSEB Limited/Stock file.

Forwarded/ By Order


Assistant Executive Engineer