



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated Under the Companies Act, 1956 (No.1/1956)

Corporate Identity No.U40100KL2011SGCO27424

Registered Office : Vydyuthi Bhavanam, Pattom,

Thiruvananthapuram- 695004, Kerala, India

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ABSTRACT

Supply, installation, testing, networking and commissioning of computer systems and accessories (including warranty for three years and continued AMC for the next three years) at various offices of KSEB Ltd by M/s. HCL Infosystems Ltd. – Recovery of liability and Closure of Purchase Order – Sanction accorded – Orders issued.

Corporate Office (Supply Chain Management)

B.O (FTD) No. 327/2020 (No. SCM/XM/AE / HCL (176-10)/2020 - 21 Tvpm

dated:15.05.2020

- Read:
1. P.O. No.TCM.176/2009-10/6591dated: 15.02.2010 viz. TCM 208 (19.03.2010), TCM 69 (07.08.2010) TCM 83(20.09.2010), TCM 144(19.01.2011) & TCM 164(14.03.2011))
 2. BO (FM) No. 2924/2011 dated: 20.12.2011.
 3. Minutes of the Purchase Committee meeting held on 04.04.2012, 06.05.2013 & 30.05.2016
 4. Minutes of the External Committee held on 14.03.2016.
 5. Note No. WAD/FA1/HCL/2019-20/299 dated: 22.02.2020 of the Chief Internal Auditor.
 6. Note No. SCM/XM/AE / HCL (176-10)/2020 – 21/270 dated: 28.04.2020 of the Chief Engineer (SCM).(Agenda No. 5/5/20)

ORDER

Purchase Orders read as 1st above was placed with M/s. HCL Infosystems Ltd. for the Supply, installation, testing, networking and commissioning of computer systems and accessories (including warranty for three years and continued AMC for the next three years) at various offices of KSEB Ltd for a Purchase value of Rs. 3,02,14,175/-. Accordingly, the firm had supplied the items. But the firm failed to rectify the complaints reported by the consignees in the stipulated time as per Purchase Order. KSEB L as per order dated: 20.12.2011, read as 2nd above, decided to take the following action against the firm;

1. To encash the Bank Guarantee furnished by the firm
2. To raise the penalty claim.
3. To issue notice to M/s. HCL Infosystems limited to show cause why they should not be black listed for two years.

Also the Purchase Committee meeting held on 04.04.2012 has decided;

1. to disqualify M/s. HCL Infosystems Limited from participating in the upcoming tenders of KSEBoard for a period of two years.
2. To take necessary action for getting sufficient assurance from the firm for providing the required level of services as per the tender conditions during the three years warranty and three years AMC period for all the computer systems supplied by them.

Accordingly, the Bank guarantees furnished by M/s. HCL Infosystems Limited, in lieu of Security Deposit and Performance Guarantee, for Rs. 55,87,050/- (Rupees fifty five lakh eighty seven thousand and fifty only) had been encashed from State Bank of India, New Delhi (Rs. 55,22,004/-) and ICICI Bank Noida, U. P. (Rs. 65,046/-) with respect to the purchase order and its 5 additional orders.

Later, the Purchase Committee dated: 06.05.2013 decided

1. to execute AMC agreement centrally by CE(SCM) for all the purchase orders with M/s. HCL Infosystems Limited.
2. to constitute an External Committee in consultation with IT wing of KSEB Board by including officials of from CDAC and NIC to study all the issues related to the purchase orders with M/s. HCL Infosystems Limited and to forward the recommendation to the Purchase Committee.
3. to release payments in respect of AMC as per P O conditions from the respective ARUs.

Accordingly, an external committee with 6 members was formed including members from CDAC, NIC, Deputy Chief Engineer (IT) wing, Executive Engineer (IT) and Executive Engineer (SCM-XH) with Deputy Chief Engineer (SCM) as chairperson. As per the recommendations of the external committee dated: 14.03.2016, the Purchase Committee meeting held on 30.05.2016 decided

1. to limit the down time penalty during entire 3 year warranty period to 10% of total purchase value
2. to recover 100% AMC amount if AMC is not done by the firm during the AMC period with respect to the purchase orders issued to M/s. HCL Infosystems limited.
3. Quarterly payment for AMC is better than yearly payment.
4. Clause for doing Preventive Maintenance and penalty for not doing preventive maintenance are not required which is to be excluded in future tenders.

Accordingly, the field officers have intimated the amount to be recovered from M/s. HCL Infosystems limited with respect to the purchase orders read as 1st above and the total liability to be recovered is arrived as Rs. 29,06,802/- (Rupees twenty nine lakh six thousand eight hundred and two only). An amount of Rs. 55,87,050/- (Rupees fifty five lakh eighty seven thousand and fifty only) encashed from Bank Guarantees (both Security Deposit and Performance Guarantee), is available with KSEBL.

Considering the reports from the field officers concerned, and points / facts noted on the remarks of the Chief Internal Officer, the Chief Engineer (SCM) put up the matter before the Full Time Directors as per note read as 6th above, to recover Rs. 29,06,802.00/- plus GST @ 18% amounting to Rs. 34, 30,026/- (Rupees thirty four lakh thirty thousand and twenty six only) from the available encashed amount of Rs. 55,87,050/- (Rupees fifty five lakh eighty seven thousand and fifty only) and to release the balance amount to the firm.

Having examined the matter in detail, the Full Time Directors, in its meeting held on 07.05.2020;

Resolved to accord sanction to recover the liability amounting to Rs. 34,30,026/- (Rupees thirty four lakh thirty thousand and twenty six only)(Rs. 29,06,802.00/- + GST @ 18%) from encashed BG amount of Rs. 55,87,050/- (Rupees fifty five lakh eighty seven thousand and fifty only) and the balance amount be released to M/s. HCL Infosystems Limited.

Orders are issued accordingly,

By order of the Full time Directors,

Sd-

Lekha G.

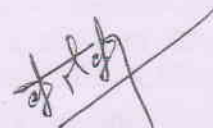
Company Secretary in Charge

To,

The Chief Engineer (SCM)

- Copy to: 1. TA to the Chairman & Managing Director / Director (D, IT & HRM) / Director(T, SO, S, CP & REES) / Director (GE& SCM) / Director (Generation Civil) ✓
2. The Legal Advisor & Disciplinary Enquiry Officer
3. The Deputy Chief Engineer (IT),
4. PA to Director(Finance) / Company Secretary/ The Fair Copy Superintendent, Board Secretariat.

Forwarded / By Order,


Assistant Engineer