

# ECL



ईस्टर्न कोलफील्ड्स लिमिटेड  
**Eastern Coalfields Limited**

(कोल इंडिया की एक अनुषंगी)  
(A Subsidiary of Coal India Limited)  
(भारत सरकार की एक उपक्रम)  
(A Govt. of India Undertaking)  
CMC Dept.

Email. [cgmcmc.ecl.cil@coalindia.in](mailto:cgmcmc.ecl.cil@coalindia.in)

Date-04.11.2025

Ref No. ECL/HQ/CMC/2025/1343

To,  
M/s Hanumant Construction Private Limited  
Regd. Address - Babhana Jehanabad,  
Bihar – 804408  
(e-mail ID as per bid submission: [hanumant009@yahoo.co.in](mailto:hanumant009@yahoo.co.in))

**Sub:** Debarment order of M/s Hanumant Construction Private Limited from bidding in future tenders of ECL for a period of 02 (Two) years.

**References:**

1. Name of the work: Hiring of HEMM for removal of 236.78LCum of OB from the parting between R-VII coal floor to R-IV(B) coal top in Sector-I of Sonepur Bazari Expansion O.C.P (12 MTY) for a period of 3 years.
2. NIT No.: ECL / HQ / CMC / NIT / 236.78 L Cum OB OC Patch / 2025 / 755 dated -04.02.2025
3. GeM Bid ID No.: - GEM/2025/B/5908304; Dt. -04.02.2025
4. Show-cause notice ref. no. ECL/HQ/CMC/2025/1191, dated 29.08.2025
5. Reminder letter ref no. ECL/HQ/CMC/2025/1236, dated 11.09.2025
6. 1<sup>st</sup> Personal Hearing Notice: ECL/HQ/CMC/2025/1252, dated: 20.09.2025
7. 2<sup>nd</sup> Personal Hearing Notice: ECL/HQ/CMC/2025/1261, dated: 25.09.2025

Dear Sir,

In reference to the tender vide GEM Bid ID: GEM/2025/B/5908304; Dt.04.02.2025, you had submitted your bid on dated 26.02.2025 at 13:44 Hrs in the GeM portal.

Tender was opened on 26.02.2025 and found that 12 Nos. of bidders submitted their bids. You had submitted a working capital certificate bearing UDIN No. 24417886BKBMZK8704 issued by CA Manish Kumar (Membership No.- 417886). Incidentally, the same certificate was submitted by you in another tender vide GeM Bid ID: GEM/2024/B/5612797 dated 15.11.2024 in JV comprising of two other partners, by the name M/s UAE-HCPL-NTC (JV). A complaint was registered by a bidder in that tender against your working capital certificate as said above. The complainant also pointed out another tender vide GeM Bid ID: GEM/2024/B/5612797 dated 15.11.2024 floated by the same Authority, where you were a constituent partner of Joint Venture Firm, M/s UAE-HCPL-NTC (JV).

Upon examination of the complaint and the working capital certificates submitted in both the tender, it was found that both the certificates were exactly identical/same in all aspects, the Tender Committee for the instant GeM bid referred to the findings, deliberations, and conclusions made in the tender (GeM Bid ID: GEM/2024/B/5612797 dated 15.11.2024). The proceedings followed by the tender committee of the respective tender and outcome of the same including its recommendations are reproduced as under:

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“Tender Committee (TC) thoroughly examined the contents of the said complaint and decided to invoke Clause No. 19.2(II)(G) under the section "Evaluation of Tender" of the Instructions to Bidders (ITB), which states: *“The verification of documents from source shall be done only in case of complaints received or on suspicion. This should be done either through speed post or through electronic communication. No anonymous/pseudonymous complaints shall be entertained.”*

Hence, TC decided to verify the amount of working capital by directly contacting the Chartered Accountant (CA) who issued the working capital certificate dated 09.12.2024 having UDIN No. 24417886BKBMZK8704 issued in favor of you, in accordance with the provisions of the tender.

Accordingly, following clarifications were sought from the certificate issuing authority i.e. CA Manish Kumar (Membership No.- 417886) for Manish K Ramawati and Company, Chartered Accountants (FRN No. 0135914W) giving 5 days time regarding the subject matter *“Verification / Clarifications regarding the working capital certificate dated 09.12.2024 having UDIN No. 24417886BKBMZK8704 issued in favor of M/s Hanumant Construction Private Limited.”* through a letter vide ref. no. ECL/HQ/CMC/2025/844, dated 11.03.2025.

1. Whether the working capital certificate dated 09.12.2024 having UDIN No. 24417886BKBMZK8704 issued in favor of M/s Hanumant Construction Private Limited is genuine and issued by you only or not.
2. Authenticated documents based on which working capital amount Rs. 3563.55 Lakhs as on dated 30.11.2024 was calculated may please be provided.
3. Detailed methodology adopted to calculate the said working capital amount based on the documents provided as in point no.2 above along with calculation sheet thereof may please be provided.

In the event of non-receipt of any reply from the CA Manish Kumar, again one reminder vide letter ref. no. ECL/HQ/CMC/2025/857, dated 18.03.2025 was sent to the said CA to submit reply against the above mentioned queries within 3 days from the date of issuance of this letter.

In response, a reply was received from the said CA on dated 21.03.2025 wherein CA has confirmed the genuineness of the said working capital certificate and also submitted the methodology for calculation of working capital. But did not submit the authenticated documents based on which working capital amount Rs. 3563.55 Lakhs as on dated 30.11.2024 was calculated and calculation sheet thereof.

Hence, in the event of non-receipt of complete reply from CA, one more letter ref. no. ECL/HQ/CMC/2025/870, dated 26.03.2025 was sent to the said CA for seeking clarification no.2 & 3 as mentioned above by giving 3 days time to submit the reply.

In response, CA Manish Kumar, through an email on dated 29.03.2025 has submitted provisional financial statements as on 30.11.2024 (which was audited by CA Sunil Murmuria, Prop. Murmuria Associates, FRN No.316188E) based on which working capital certificate was issued. CA Manish Kumar also provided the calculation of working capital methodology along with the above said statements.

Upon examination of the submitted provisional financial statements as on 30.11.2024, some discrepancies were observed therein and hence, again following queries were sought from the CA through a letter ref. no. ECL/HQ/CMC/2025/887, dated 02.04.2025 by giving one day time i.e. by 03.04.2025 as already beyond reasonable time was provided to the said CA to submit reply against the clarifications as mentioned above:

- a. *“Balance of Trade Receivables as on 31.03.2024 is shown as NIL. As per Provisional Profit/Loss Statement for the period 01.04.2024 to 30.11.2024 Revenue from Operations is Rs 19288747.00, whereas the balance of Trade Receivables is shown as Rs 38,58,88,396.00 in the Provisional Balance Sheet as at 30.11.2024.*

*Considering the revenue earned during the period 01.04.2024 to 30.11.2024, the increase in Trade Receivables as on 30.11.2024 in comparison to that of 31.03.2024 may be substantiated.*

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b.

Particulars	Provisional Balance Sheet as on 30.11.2024 (Rs.)	Balance Sheet as on 31.03.2024 (Rs.)	Balance Sheet as on 31.03.2023 (Rs.)
Contigent Assets	39778469.00	562613311.00	8709707.00

Balance Sheet as on different dates shown above includes an item mentioned as "Contigent Assets". The nature and details of items booked under this head may please be deliberated. Further, the basic reasons for variation in the amount booked under this asset in different dates as shown above may be explained.

c. Provisional Balance Sheet as on 30.11.2024 to be submitted should be UDIN generated and the same should bear signature and seal of Directors of the Company."

In response, CA Manish Kumar through an email dated 03.04.2025 stated the following:

"In reference to your letter no. ECL/HQ/CMC/2025/887 dated-02/04/2025, This is kindly to inform you that presently I am on vacation out of station till this weekend, having working continuously for financial year ending till 31.03.2025.

I would need time till 7th April Monday for providing needful replies asked for..."

In spite of providing the beyond reasonable time i.e. from 11.03.2025 to till 03.04.2025, CA Manish Kumar sought more time to submit the reply.

A copy of mail dated 18.03.2025, 26.03.2025 & 02.04.2025 was being sent to CA Mainish Kumar for obtaining clarifications was also being sent to Independent External Monitors (IEMs) for maintaining the integrity.

In light of the communications made with the CA through dated 02.04.2025 & response mail of CA on dated 03.04.2025, IEM had suo-moto opined that

"Please see the forwarded mail from CA Mr. Manish Kumar. it seems obvious that he is delaying to answer the normal queries raised by ECL and has not submitted clarifications required. as both IEMs are repeatedly addressed in these exchanges of mails, it is requested that ECL may dispose of the matter as per rules.

ECL may please decide and dispose of the reference instead of allowing it to prolong beyond reasonable time provided to the party."

Further, an expert financial opinion was obtained from an independent Financial expert against the financial statements audited by CA Sunil Murmuria, Prop. Murmuria Associates, FRN No.316188E, based on which working capital certificate was issued by CA Manish Kumar. Independent Financial expert opined the following:

- Upon reviewing the Financial Statements, I observe that the figures for trade receivables show no balance as of 31.03.2024, but Rs 38.59 crore as of 30.11.2024. This discrepancy is notable. especially in light of the revenue from operations for the period April 2024 to November 2024, which is recorded at Rs 1.93 crore. As per data available in the Financial Statement, the maximum Trade receivable amount as on 30. 11.2024 can be Opening Balance as on 01.04.2024 + Amount of Revenue generated during 01.04.2024 to 30.11.2024 presuming no amount has been received against the revenue generated which comes to Rs 1.93 crore against reported figure of Rs 38.59 crore, In my opinion, this suggests an unusually high trade receivable figure in comparison to the revenue generated which indicate discrepancy in the Financial Statement as on 30.11.2024.
- There is no word as "Contigent Asset" in accounting. Although, the term "Contigent Assets" is used in the Balance Sheets on different reporting dates with significantly varying amounts. However, no explanatory

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note or supporting detail has been provided in the Audited Financial Statement to justify these figures.

It may be presumed that the word "Contigent Asset" is wrongly used against the word "Contingent Asset". As per generally accepted accounting principles. 'Contingent Assets' are not usually recognized in the financial statements unless the realization of income is virtually certain. Disclosure without adequate details or rationale may be misleading. A detailed breakdown and explanation for the fluctuations across reporting periods is necessary for transparency and clarity.

- c. The Provisional Balance Sheet as on 30.11.2024 should mandatorily bear the UDIN of the certifying Chartered Accountant and must also be signed by the Directors of the Company. The absence of such authentication renders the statement non-compliant with standard documentation and verification norms.
- d. It is observed that the Working Capital amount of ₹3563.55 Lakhs remains unchanged across three different dates-31.01.2024, 31.07.2024 and 30.11.2024 - as per the certificates issued. Identical working capital figures over multiple months are statistically unusual/very rare, unless justified by consistent operational and financial conditions.

Since the Financial Statement as on 31.01.2024 and 31.07.2024 is not available on record, the accuracy of the working capital as on 31.01.2024 and 31.07.2024 cannot be ascertained.

It shall be pertinent to mention here that, the working capital as derived from Financial Statement as on 31.03.2024 is (-) Rs 11,35,17,130.00 {Current Assets: Rs 23,13,38,256.00 - Current liabilities Rs 34,48,55,386.00}

Conclusion: The above observations highlight discrepancies noted in Financial Statements and also in Working Capital Certificate.

Given the above facts relating to deliberately delaying by the CA Manish Kumar for answering the queries raised by the tender committee and discrepancies & deficiencies as noted in the provisional Financial Statements based on which working capital certificate was issued; tender committee of the tender GeM Bid ID: GEM/2024/B/5612797 dated 15.11.2024 concluded that there are discrepancies in Financial Statements and Working Capital Certificate relating to unusually high trade receivable figure in comparison to the revenue generated, "Contigent Asset" (there is no term in the balance sheet called as "Contingent Asset") and absence of authentication of provisional statement due to absence of UDIN & signature of Director of the Company. As such, submitted working capital certificate dated 09.12.2024 having UDIN no. 24417886BKBMZK8704 for a working capital amount of Rs.3563.55 Lakhs as on 30.11.2024 was found to be forged, manipulated & misrepresented one where bidder had attempted to mislead the tender committee to get technically qualified in the instant tender.

Further, an email dated 07.04.2025 was received from the CA Manish Kumar along with the same financial documents as submitted in the earlier email dated 29.03.2025 along with further clarifications. Upon examination of the same tender committee found that submitted financial statements were authenticated but there was no merit in the submitted clarifications and noted that above noted discrepancies & irregularities relating to unusually high trade receivable figure in comparison to the revenue generated and term "Contigent Asset" (there is no term in the balance sheet called as "Contingent Asset") still exists. As such, it was concluded that submitted working capital certificate was forged, manipulated & misrepresented working capital amount.

Tender committee of the instant tender noted the findings of the complaint received against the working capital certificate dated 09.12.2024 and further recorded that the submission of forged, manipulated & misrepresented

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working capital amount certificate, attracts the following provisions for taking penal action are reproduced as below:

Clause no. 3.2 of Section-01 of tender documents states that

*“Even though the Bidders meet the above eligibility criteria, they are subject to be disqualified, if they have made misleading or false representations in the forms, statements, affidavits and attachments submitted as proof of the qualification requirements; and/or on account of debarment as applicable.”*

Point No. 9 of submitted Undertakings (Annexure-VIII) and point No. 10 of Undertakings (Annexure-IX) states that:

*“If any information and document submitted is found to be false/ incorrect at any time, department may cancel my/our Bid and action as deemed fit may be taken against me/us, including termination of the contract, forfeiture of all dues and Debarment of our firm and all partners of the firm etc. from Bidding, as per the tender document”.*

5th para of LOBs (Annexure-VII) states that:

*“If any information furnished by me/us towards eligibility criteria of this bid is found to be incorrect at any time, penal action as deemed fit may be taken against me/us for which I/We shall have no claim against CIL/Subsidiary”.*

Clause No.4 (vi) of Guidelines on Debarment of Firms from Bidding (Section-2.4) states that

*“Willful suppression of facts or furnishing of wrong information or manipulated or forged documents by the Agency or using any other illegal/unfair means”.*

Clause no. 4 (xiv) of Guidelines on Debarment of Firms from Bidding (Section-2.4) states that

*“If it is determined that the bidder has breached the Code of Integrity for Public Procurement (CIPP) as provided in the tender document”.*

Clause no. 5 (2) of Pre-Contract Integrity Pacts (Annexure-I) states that

*“If the Bidder makes incorrect statement on this subject, he can be disqualified from the tender process or action can be taken as per the procedure mentioned in "Guidelines on Debarment of Firms from Bidding”.*

Clause no. 2 (ii) of Code of Integrity for Public Procurement (CIPP) (Annexure-III) read with point no.8 of Undertaking (Annexure-IX) states that

*“Fraudulent practice: any omission or misrepresentation that may mislead or attempt to mislead so that financial or other benefits may be obtained or an obligation avoided. This includes making false declaration or providing false information for participation in a tender process or to secure a contract or in execution of the contract”.*

Point no.8 of the Undertaking (Annexure-X) states that

*“I/we abide the Code of Integrity for Public Procurement (CIPP) as given in the tender document”.*

Given the above facts vis-à-vis above stated provisions of the tender documents, tender committee concluded that Financial irregularities were observed in the submitted working capital certificate dated 09.12.2024 particularly inflated trade receivables, misuse of accounting terms, missing authorizations, inconsistent and unverifiable working capital data — strongly indicate:

- Deliberately attempted to mislead the tendering authority to get technically qualified in the instant tender
- Non-compliance with standard accounting norms

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Breach of tender conditions, especially those related to:

- Clause 3.2 of ITB (misrepresentation)
- Annexure VIII & IX undertakings (false information)
- Code of Integrity (fraudulent practice)

Given the above facts relating to your technical disqualification by not meeting the eligibility criteria as per clause no. 3.1 (d) (Working Capital) of Section-01 and as per clause no. 2.1 of Section-01, it may be concluded that you are not even eligible to participate in the instant tender.

Clause no. 2.1 of Section-01 of the bid documents states that

*“The invitation for bid is open to all Bidders-including an Individual, Proprietorship firm, Partnership firm, Company registered under Companies Act or a Joint Venture/Consortium. The Bidders shall be eligible to participate only if they fulfil the Eligibility Criteria specified in Bid Document / Additional Terms & Conditions (ATC). In a tender, a Bidder shall participate in one bid only”.*

Further, as per clause No. 19.2(II)(I) of Section-01, only technically eligible bidder's price bids are to be opened after obtaining due approval. Since you are not technically eligible, your bid stands rejected with penal actions to be taken as per provisions of the bid documents.

In light of the above findings, you were liable for the following penal actions:

1. **Rejection** of your bid in the instant tender.
2. **Forfeiture of Earnest Money Deposit (EMD)** submitted against the tender.
3. **Debarment** of the firm from participation in future tenders.

In view of the above, following may please be noted:

1. Regarding technical disqualification of your bid, the same was done on GeM portal and no representation was received from your end against the reasons of rejection with the time period of 48 hours as provided by the GeM portal.
2. Being an MSE bidder, you have opted the option of EMD exemption as per bid document; hence, the action of forfeiting of EMD has become dispensable.
3. Regarding debarment of your firm from bidding relevant provisions of guideline for Debarment of firms for observing the principle of natural justice is being followed which is as below:

Regarding observance of Principle of Natural Justice, clause no. 1 of guideline for Debarment of firms states that:

*“Observance of Principle of Natural Justice before debarment of firm from Bidding. The bidder/contractor shall not be debarred unless such bidder/contractor has been given a reasonable opportunity to represent against such debarment (including personal hearing, if requested by the bidder/contractor)”.*

Given the above facts, a show-cause notice vide ref. no. ECL/HQ/CMC/2025/1191, dated 29.08.2025 for debarment of the your Company from bidding in future tenders floated by Eastern Coalfields Limited (for period of 2 years) was issued to submit explanation in writing within 07 (Seven) days from the date of issuance of the show cause notice as to why penal actions as per clause no. 4 (vi) and clause no. 4 (xiv) of Guidelines on Debarment of Firms from Bidding shall not be taken through email and also through postal address as mentioned by the you in the submitted BSC sheet.

In the event of non-receipt of any reply, one reminder vide ref. no. ECL/HQ/CMC/2025/1236, dated 11.09.2025

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was sent on 11.09.2025 to you giving another 7 days to submit the reply against the said show-cause notice through email as well as through postal address also.

In-turn, no reply was received from your end against the above show-cause notice.

Further, for observing the principle of Natural Justice one more opportunity in the form of personal hearing vide notice ref. no. ECL/HQ/CMC/2025/1252, dated: 20.09.2025 was provided to the you and personal hearing was scheduled on 24.09.2025 at 11:00 AM, to represent your case as to why the penal action shall not be taken against you as per the provisions of the bid documents.

On the scheduled day of personal hearing no one from your end was turned up to represent M/s Hanumant Construction Private Limited. Further, personal hearing was scheduled on 03.10.2025 at 11:00 AM vide notice ref. no. ECL/HQ/CMC/2025/1261, dated 25.09.2025. Again, no one turned up on the said scheduled date and time.

In the context of non-submission of any reply against the show-cause notice and your non-appearance in both the scheduled personal hearings, it may be concluded that you have nothing to represent against the discrepancies & irregularities relating to unusually high trade receivable figure in comparison to the revenue generated and term "Contigent Asset" (there is no term in the balance sheet called as "Contigent Asset") in the submitted financial statements based on which working capital amount was calculated.

As such, submitted working capital certificate dated 09.12.2024 declared as forged, manipulated and also misrepresenting working capital amount of Rs.3563.55 Lakhs and you are liable for penal actions against the violations of provisions of bid documents as stated in the show-cause notice.

In view of the above, it has been concluded that there were discrepancies & irregularities relating to unusually high trade receivable figure in comparison to the revenue generated and term "Contigent Asset" (there is no term in the balance sheet called as "Contigent Asset") in the submitted financial statements based on which working capital amount was calculated. As such, submitted working capital certificate dated 09.12.2024 declared as forged, manipulated and also misrepresenting working capital amount of Rs.3563.55 Lakhs.

Further, for debarment of firm from bidding following provisions of guideline for Debarment of firms have been referred which are as below:

Regarding period of debarment shall be dealt as per clause No. 7 of guideline for Debarment of firms states that *"The debarment shall be for a minimum period of one year and shall be effective for the concerned Subsidiary for the tenders invited at Subsidiary level. Similarly, in case of tenders of CIL HQ, debarment shall be for CIL HQ. However, if such 'debarment' has to be made effective for entire CIL and its Subsidiaries then approval of Chairman, CIL shall be required. The period of debarment shall not exceed 02 (Two) years. In case of clause no. (4)(vi) & (xv) above, period of debarment shall be 02(Two) years"*.

Regarding applicability of debarment from bidding in respect of Limited Company, clause no. 8 of guideline for Debarment of firms states that

*"Once a contracting entity is debarred, it shall be extended to the constituents of that entity, i.e. partners (jointly and severally) in case of Joint Venture, all the partners (jointly and severally) in case of Partnership Firm, owner/proprietor in case of Proprietorship Firm. The names of partners should be clearly specified in the Debarment Order. If such debarred owner/Proprietor/ Partner make/form different Firms/entity and attempts to participate in tenders, the same shall not be entertained during the currency of such debarment. In case the contracting entity being debarred is a Company then only the Company shall be debarred"*.

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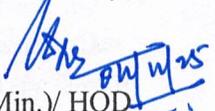
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Give the above facts, M/s Hanumant Construction Private Limited are hereby debarred as per clause no. 4 (vi) and clause no. 4 (xiv) of Guidelines on Debarment of Firms from Bidding for period of two years from participating in future tenders of Eastern Coalfields Limited from the date of issuance of this order for submitting manipulated and forged working capital certificate in the tender vide GEM Bid ID: GEM/2025/B/5908304; Dt.04.02.2025.

This issues with the approval of competent authority.

Yours truly,

  
GM (Min.)/ HOD  
(CMC) ECL

Distribution: (Through email)

1. CMD, ECL
2. D (F) / D(T) OP / D(P) / D(T) P&P, ECL
3. TS to CMD, ECL
4. GM, All Areas of ECL
5. GM (System) ECL / Nodal Officer (e-Procurement Cell): For uploading the same on Coal India Tendering portal and also in the designated link in ECL website.
6. GM (CMC), All Subsidiaries of CIL.
7. Office copy: Proposal approved by CMD, ECL through e-office file Computer no. 2113396

पंजीकृत कार्यालय / Regd. Office

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