

**First Appellate Authority**  
**(Appellate jurisdiction under section 38 of the Rajasthan Transparency in Public Procurement Act, 2012)**

In the matter of

Rejection of bid furnished by M/s Maktel Control Systems Pvt. Ltd., Waghodia Estate against bid specification No. RVPN/SE/TLPC/TLM/BN-3845 for supply of 220 kV & 132 kV Transformer type Control & Relay Panels on the basis of incorrect information of the SE (SSPC) Appeal No. 1

And

Rejection of bid furnished by M/s Maktel Control Systems Pvt. Ltd., Waghodia Estate against bid specification No. RVPN/SE/TLPC/TLM/BN-3846 for supply of 220 kV Feeder, 220 kV Bus coupler and 132 kV Feeder Control & Relay Panels on the basis of incorrect information of the SE (SSPC) Appeal No. 2

And

In the matter of

**Appellant:**

M/s Maktel Control Systems Pvt. Ltd., Waghodia Estate, Distt. Vadodara  
(Through Sh. D.K. Shukla S/o Sh. R.C. Shukla, C-100, Vidhyut Nagar, Chitrakoot Marg, Jaipur)

**Respondent(s):**

1. The Suptdg. Engineer (TLPC), RVPN, Jaipur
2. The Suptdg. Engineer (SSPC), RVPN, Jaipur
3. The Accounts Officer (TLPC), RVPN, Jaipur
4. The Accounts Officer (SSPC), RVPN, Jaipur

**Coram:**

1. The Chairman & Managing Director, RVPN, Jaipur
2. The Director (Operation), RVPN, Jaipur
3. The Director (Technical), RVPN, Jaipur
4. The Director (Finance), RVPN, Jaipur
5. The Advisor, Energy, Govt. of Rajasthan, Jaipur

**Present:**

1. Sh. D.K. Shukla..... for Appellant

1. Sh. R.P. Gupta, SE (Proc. 1)
2. Sh. S.K. Kaushik, SE (Proc. 2)
3. Sh. N.L. Jat, CAO (P&C)
4. Sh. Sudhir Jain, Executive Engineer-3 (Proc.)
5. Sh. J. Nagpal, Executive Engineer-4 (Proc.)
6. Sh. Mukesh Vyas, Asstt. Engineer (Proc.1)
7. Sh. Amarjeev Singh Sethi, Asstt. Engineer (Proc.2) ..... for Respondents

Date: 8.8.2016


**Interim Order**

The two Appeals filed under Section 38 (1) of the RTPP Act, 2012 came up for hearing. Since the matter is same in nature, both the Appeals would be heard and are to be decided simultaneously.



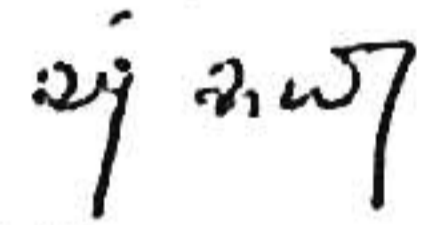
2. We have heard both parties and seen the records. It has been observed that dispute raised in the Appeals relates to delay in delivery of material against the Purchase Order in TN-2994. The Appellant has objected to the finding that there was a delay in delivery in TN-2994. The competent authority in this regard needs to take a final view and issue speaking order in this regard. We direct the competent authority accordingly.
3. Both Appeals may be put up before us after finalization of the decision regarding delay in delivery of material in TN-2994 for further proceedings in the matter.
4. The procurement proceedings under BN-3845 & BN-3846 are stayed pending disposal of the Appeals as per Section 39 of the RTPP Act, 2012. The stay applications in Appeals are accordingly disposed herewith.

  
Director (Oper.)

  
Director (Tech.)

  
Director (Fin.)

  
Advisor, Energy

  
CMD

**The First Appellate Authority**  
**(Appellate jurisdiction under section 38 of the Rajasthan Transparency in Public Procurement Act, 2012)**

In the matter of:

Rejection of bid furnished by M/s Maktel Control Systems Pvt. Ltd., Waghodia Estate against bid specification No. RVPN/SE/TLPC/TLM/BN-3845 for supply of 220 kV & 132 kV Transformer type Control & Relay Panels on the basis of incorrect information of the SE (SSPC) ..... Appeal No. 1

And

Rejection of bid furnished by M/s Maktel Control Systems Pvt. Ltd., Waghodia Estate against bid specification No. RVPN/SE/TLPC/TLM/BN-3846 for supply of 220 kV Feeder, 220 kV Bus coupler and 132 kV Feeder Control & Relay Panels on the basis of incorrect information of the SE (SSPC) ..... Appeal No. 2

And in the matter of:

M/s Maktel Control Systems Pvt. Ltd., Waghodia Estate, Distt. Vadodara.....Appellant  
V/s

The Suptdg. Engineer (TLPC), RVPN, Jaipur & ors..... Respondents

Coram:


1. The Chairman & Managing Director, RVPN, Jaipur
2. The Director (Operation), RVPN, Jaipur
3. The Director (Technical), RVPN, Jaipur
4. The Director (Finance), RVPN, Jaipur
5. The Advisor, Energy, Govt. of Rajasthan, Jaipur

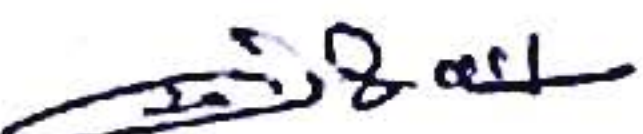
Date of hearing: 8.8.2016 & 17.8.2016

Date of order: 17.8.2016

**Order**

1. The case was earlier heard on 8.8.2016. The Appellate directed vide Interim Order dt. 8.8.2016 that competent authority needs to take a final view and issue speaking order regarding delay in delivery of material in TN-2994.
2. Respondents have informed that the competent authority has issued order dt. 17.8.2016 in compliance to the Appellate's Interim Order dt. 8.8.2016, according to which, Appellant firm is found not defaulter as per clause 5.02 of the PQR of the BN-3845 & BN-3846.
3. Accordingly, the Appeals are accepted and CMD level Purchase Committee, therefore, may review its decision in light of this finding.

  
(R.P. Barwar)  
Director (Oper.)

  
(R.K. Bhandari)  
Director (Tech.)

  
(Arun Kumar Gupta)  
Director (Fin.)

  
(R.G. Gupta)  
Advisor, Energy

  
(Sanjay Malhotra)  
Chairman & MD