



भारत सरकार GOVERNMENT OF INDIA
केन्द्रीय लोक निर्माण विभाग CENTRAL PUBLIC WORKS DEPARTMENT
अपर महानिदेशक हैदराबाद का कार्यालय OFFICE OF ADG -HYDERABAD
निर्माण भवन, सुल्तान बाजार NIRMAN BHAWAN, SULTAN BAZAR
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सं: 16(I)22/SE(W&TLQA)/2024/ 8 69-872

दिनांक: 14-02-2025

कार्यालय आदेश

विषय: Debarment of M/s Haque Construction Company enlisted in class I Buildings & Roads category in CPWD works for a period of **ONE YEAR** from the date of issue of this order. – Reg.

1. **Whereas**, M/s Haque Construction Company applied for enlistment under the CPWD Class I – Buildings & Roads category through an online application dated 29.04.2024 on the CEMS portal, submitting various documents, including a GST registration certificate bearing GST No. 36ABPPH8480D1Z3. Based on this application and supporting documents, the firm was enlisted in Class I - Buildings & Roads category as per Office Memorandum dated 19.07.2024.
2. **Whereas**, the enlistment was processed under the Rule for Enlistment of contractors in CPWD based on the firm's online application dated 29.04.2024. Consequently, the enlistment is subject to the provisions and regulations stipulated by these rules.
3. **Whereas**, as per item No. 2 of the enlistment order dated 19.07.2024, *"the enlisted contractor shall abide by all the rules mentioned in the Enlistment Rules 2023 as amended from time to time or latest enlistment rules and amendments."* The latest enlistment rules are "Rules for Enlistment of contractors in CPWD, 2024".
4. **Whereas**, as per Item No. 14(c) of the enlistment application, the firm provided a certification stating that *"if any information/document(s) is/are found incorrect/forged during the enlistment process or after enlistment, our application and/or enlistment is liable to be cancelled and I/we shall be debarred for 2 years from the date of issue of order."*
5. **Whereas**, on 06.09.2024, the firm submitted an online application through the CEMS portal to request changes in its constitution, status, and name. This request was reviewed, and prior approval was granted by the Enlisting Authority through letter dated 27.09.2024.

6. **Whereas**, in connection with a tender invited by the Executive Engineer, President's Estate, a communication dated 03-10-2024 was received from the ADG, Delhi Office indicating that the GST registration of M/s Haque Construction Company was invalid as of the last tender submission date.
7. **Whereas**, on 07.10.2024, a communication from an individual, received by email, indicated that a check on the GST portal showed the firm's GST registration certificate as invalid. According to Para 6.6 of the CPWD Enlistment Rules, contractors are required to have a valid GST registration certificate at the time of their enlistment application, but the GST registration submitted by M/s Haque Construction Company was found to be invalid as of the application date.
8. **Whereas**, M/s Haque Construction Company, vide letter dated 26.10.2024 (sent by email), acknowledged that the GST registration certificate provided with their enlistment application was invalid as of the application date. They claimed that they had sought assistance from an individual for GST registration, who allegedly provided a fraudulent certificate, which was then submitted with the application. He also attached corrected GST Registration certificate issued on 27-09-2024 and requested to update the Enlistment Order by changing the GST Registration Number.
9. **Whereas**, on 05-11-2024, a communication from another individual is also received by e-mail indicating that the GST registration certificate submitted by M/s Haque Construction Company is fake. Similar communication from another individual is also received through mail dated 23-12-2024 and 13-01-2025 indicating the same.
10. **Whereas**, every applicant is fully accountable for the authenticity of all documents submitted with their application.
11. **Whereas**, the GST registration certificate provided was a non-existing document on the date of application, which constitutes violation of para 6.6 of Enlistment Rules. It also remains unclear as how a non-existing GST certificate was obtained and then submitted as part of application.
12. **Whereas**, by submitting false information and a non-existent document, the firm has engaged in falsification of records, thereby meeting the criteria under conditions (d) and (e) of Rule 13.6 in the Enlistment Rules.
13. **Whereas**, failure to comply with Para 6.6 indicates that the firm no longer meets the eligibility criteria at the time of application, on which its enlistment was based, thereby also meeting condition (m) of Rule 13.6.

14. **Whereas**, a show cause notice was issued to M/s Haque Construction Company vide letter dated 12.11.2024 to submit their reply within 15 days of the issuance of this notice, explaining why disciplinary action should not be initiated under Rule 13.7 of the Enlistment Rules.
15. **Whereas**, M/s Haque Construction Company filed a writ petition in the High Court of Telangana (WP No. 32828 of 2024) to declare the said show-cause notice arbitrary, illegal and void, direct respondent to update GST registration number as provided by the firm & direct the respondent to continue the firm as contractor to participate in future tenders.
16. **Whereas**, the matter was heard and the Hon'ble High Court issued the following directions in its judgment dated 22-11-2024.
- a) *Considering the fact that the petitioners GST registration certificate was subsequently corrected, the petitioner shall be given an opportunity to bring the corrected documents before the respondent within 7 days from 25.11.2024. The respondent shall consider these documents and take appropriate action on these documents.*
 - b) *The respondents shall not initiate any disciplinary proceedings against the petitioners before the petitioner is given sufficient opportunity to present its case along with the corrected documents before the respondents.*
 - c) *It is made clear that any action taken by the respondent in terms of the Rule for enlistment of contractors in CPWD 2024 shall be in accordance with law.*
17. **Whereas**, after availing sufficient opportunity, M/s Haque Constructions Company submitted its reply to the show-cause notice vide letter dated 29.11.24 along with supporting documents and Annexure. Along with the reply, the firm has again submitted the corrected GST registration document bearing registration No. 36ABPPH8480D1ZE. But at the same time, they failed to adequately address certain points raised in the show-cause notice, including Paragraphs 4 and 11 of show cause notice, thereby substantiating the falsification of the GST certificate submitted with the application. Hence the condition of Rule 13.6 (d) & (e) of the Enlistment Rules are met, thereby making themselves liable for the disciplinary action as per the Rule 13.7 of Enlistment Rules.
18. **Whereas**, since the condition of Rule 13.6 (d) & (e) of the Enlistment Rules are met, M/s Haque Constructions Company made themselves liable for the disciplinary action as per the Enlistment Rules.

19. After careful consideration of reply to the show cause notice, directives of Hon'ble court, reply submitted by the firm with all supporting documents, taking in to consideration of all the facts placed on the record, circumstances of the case and recommendations of Empowered committee, the Enlisting authority, in exercising the power conferred under Rule 13 of the "Rules for Enlistment of contractors in CPWD, 2024" hereby decided that

- a. In accordance with the Hon'ble court's directive to consider the corrected GST registration document, the corrected GST registration document (No. 36ABPPH8480D1ZE) submitted by the firm along with their reply is accepted and the earlier enlistment order (OM 69 dated 19.07.2024) shall be modified. Necessary revised enlistment order shall be issued separately.
- b. Since the Conditions 13.6(d) and (e) of the Enlistment Rules are met, M/s Haque Constructions Company is debarred for a period of **one year** from the date of issue of this order. Consequent to debarment, the provisions in Enlistment rules related to debarment are applicable.

This issues with the approval of Disciplinary Authority.

Yours sincerely

(C.N.Suresh)
Superintending Engineer (W&TLQA)
Member Secretary,
Empowered Committee.

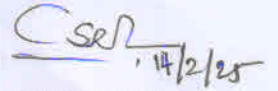
(By e-mail & speed post)

To,

M/s Haque Construction Company,
Flat No.9-2-72/32/12, Muslim Basti,
Old Bowenpally, Secunderabad,
Medchal Malkajgiri, Telangana-500011.
Email ID: acc21015@gmail.com

Copy to: (Not On Original)

- ✓ 1. CEMS portal-EE(TLQA) to take necessary action.
2. All officers of CPWD & PWD (Delhi) through CPWD website.
3. Concerned enlistment file.


SE (W&TLQA)
O/o ADG, Hyd.