



पावर ग्रिड कॉर्पोरेशन ऑफ इंडिया लिमिटेड
Power Grid Corporation of India Limited

सूचना का अधिकार अभिनियम 2005 के अंतर्गत केन्द्रीय लोक सूचना अधिकारी
Central Public Information Officer under the RTI Act, 2005
केन्द्रीय कार्यालय, 'सौदामिनी', प्लॉट नं.2, सेक्टर-29, गुडगांव, हरियाणा-122007
Corporate Centre, 'Saudamini', Plot No. 2, Sector-29, Gurgaon, Haryana-122007



PGCIL/R/T/21/00007

दिनांक: 28 January, 2021

Shri Aman Avinav,
A-317, LGF, Defence Colony,
New Delhi, Pin: 110024

विषय: सूचना का अधिकार अधिनियम, 2005 के तहत जानकारी।

महोदय / महोदया,

कृपया आर.टी.आई. अधिनियम, 2005 के तहत दिनांक 25 January, 2021 को प्रेषित अपने आर.टी.आई. अनुरोध का संदर्भ लें।

उपरोक्त पत्र में वांछित जानकारी अनुलग्नक-1 में संलग्न है।

यदि आप केन्द्रीय लोक सूचना अधिकारी के उत्तर से संतुष्ट न हो तो, केन्द्रीय लोक सूचना अधिकारी के उत्तर की प्राप्ति के 30 दिनों के भीतर पहले अपील प्राधिकारी के सम्मुख अपील की जा सकती है। आरटीआई अधिनियम, 2005 के तहत केन्द्रीय कार्यालय, गुडगांव में अपील प्राधिकारी का विवरण निम्नानुसार है:

श्री बी.एन.डे.भौमिक,

कार्यपालक निदेशक (तकनीकी विकास) एवं अपील प्राधिकारी
केन्द्रीय कार्यालय, पावर ग्रिड कॉर्पोरेशन ऑफ इंडिया लिमिटेड,
सौदामिनी, प्लॉट नंबर-2, सेक्टर-29, गुडगांव-122001, हरियाणा।
ईमेल आईडी: appellate.cc@powergrid.co.in
फोन नंबर: 0124-2571790,2863616

धन्यवाद,

भवदीय,

(जसबीर सिंह) 28/01/21

मुख्य महाप्रबंधक (के. आ.) एवं के.लो.सू.अधिकारी

Email ID: cpio.cc@powergrid.co.in

Sub.: Reply to RTI Query by Shri Aman Avinav, Delhi.

Query:

I am an advocate practicing before the Supreme Court of India and the Delhi High Court and regularly advise Infrastructure Development Companies. I am writing to you with reference to the Office Memorandum No. 9/4/2020-PPD dated 12.11.2020 issued by the Procurement Policy Division, Department of Expenditure, Ministry of Finance, Government of India, whereby it has been decided to reduce Performance Security from existing 5-10% to 3% of the value of the contract for all existing contracts. A copy of the said Office Memorandum was also issued to the Secretary, Department of Public Enterprises with a request to issue the same instructions to Central Public Sector Undertakings (CPSUs).

Pursuant to the above Office Memorandum, CPSUs and PSUs have been requested to reduce the existing performance security supplied under the contract in the form of Bank Guarantees to 3% of the contract value and release of the Bank Guarantees for the balance security. However, no action has been taken by the CPSUs pursuant to the Office Memorandum nor any response has been received from them, in this regard, till date. The continued inaction by the CPSUs and PSUs will have a crippling effect on the business of my clients as well as the entire Infrastructure Sector, thus defeating the very objectives the office memorandum wishes to fulfill.

In the above background, I seek the following information/clarification:

- (1) Whether the above Office Memorandum is mandatory in nature and binding upon all CPSUs and PSUs under the Ministry of Power? Please share relevant document, if any.
- (2) Have instructions for reduction in Performance Security to 3% been issued to CPSUs and PSUs functioning under its aegis, by the Ministry of Power? If yes, then please provide the relevant correspondence. If not, then Why?
- (3) What steps have all CPSUs and PSUs under the Ministry of Power taken to give effect to the above Office Memorandum? Please share the relevant document, if any.
- (4) Whether the instruction regarding reduction of performance security to 3% contained in the above Office Memorandum (or as adopted) applies to existing Performance Bank Guarantees supplied under subsisting contracts? Please share relevant document, if any.
- (5) Whether the instructions contained in the said office memorandum (or as adopted) has the effect of automatically amending the terms on performance security in existing contracts with contractors, thereby reducing the performance security to 3%? Please share relevant document, if any.

It is submitted that the above information/clarification is sought in public interest which would provide much needed clarity and help achieve the objectives of the Office Memorandum. Therefore, an early and expeditious response would be appreciated.

Reply:

POWERGRID has already implemented the GoI guidelines issued vide Office Memorandum No. 9/4/2020-PPD dated 12.11.2020 (for reduction in of Performance Security from existing 5-10% to 3% of the value of the contract) in accordance with the guidelines stipulated therein. Further it may be mentioned that the reduction of Performance Securities is carried out irrespective of whether a request to this effect from the contractor is received or not, as per specified guidelines.

RS Singh