

---

**(2002) 04 JH CK 0056**

**In the Jharkhand High Court**

**Case No : Writ Petition (C) No. 4266 of 2001**

Regal Security Service

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

---

**Date of Decision : 02-04-2002**

**Acts Referred:**

**Citation : (2002) 04 JH CK 0056**

**Hon'ble Judges : S.J. Mukhopadhaya, J**

**Bench : Single Bench**

**Advocate : Dilip Kumar Prasad, for the Appellant; K.B. Sinha Amitabh and M.M. Prasad, for the Respondent**

---

## **Judgement**

S.J. Mukhopadhaya, J.—Heard the parties.

The writ petition was preferred by petitioner against the notice inviting tender published on 3.8.2001 in newspaper "Prabhat Khabar calling application from experienced security agencies for providing security services in the office of respondent-C M.P.D.I., Ranchi.

2. The case of the petitioner is that as per circulars issued by the Union of India including office Memorandum dated 11.11.1994 and subsequent guideline, an agency sponsored through D.G.R. for security service is not required to deposit any security amount.

3. Notices were issued to the respondents on 10.9.2001 and it was observed that if any order issued in pursuance of tender notice dated 3.8.2001. shall be subject to the decision of the case. It was also observed that the respondents are expected to follow the guideline, if any, issued by the Government of India.

4. Counsel for the respondents submitted that first tenders received in pursuance of advertisement dated 3.8.2001, were rejected. Subsequently, in pursuance of second tender notice published on 18.12,2001, the tender papers received have not yet been opened because of the pendency of the present case. It was also

submitted that if the petitioner still intends to submit tender paper as per terms of the notice dated 18.12.2001, the respondents may consider the same alongwith tender papers as may have been submitted by the others.

5. Counsel for the petitioner submitted that the petitioner being sponsored through D.G.R. for security service, is not required to deposit any amount as security money. He placed reliance on para 46 of the guidelines for financing of security agency as issued by the Director General Re-settlement (Ministry of Defence), New Delhi. It was pointed out from para 46 that the security agencies sponsored by Director General Re-settlement are not required to deposit any contract performance guarantee or Bank guarantee. It was also pointed out that the petitioner was sponsored by D.G.R. by letter dated 25.9.2000. But the counsel for the respondents pointed out that the aforesaid letter of sponsorship was subsequently cancelled by letter dated 18.10.2000. In this connection, the counsel for the petitioner submitted that the fresh sponsorship by D.G.R. New Delhi has been issued vide letter dated 22.3.2001 of which reference has been given in petitioner's letter dated 20.4.2001 (Annexure-9).

6. However, as the fresh sponsorship letter stated to have been issued by D.G.R., New Delhi on 22.3.2001 is not on record, it is not possible for this Court to give any specific direction to the respondents. The petitioner is given liberty to produce a photo copy of the letter of sponsorship given by D.G.R., New Delhi dated 22.3.2001 before the General Manager (P&A). C.M.P.D.I.. Kanke Road. Gondwana Palace. Ranchi and the guideline as issued by Government of India from time to time.

7. If any such sponsorship letter dated 22.3.2001 is produced by the petitioner alongwith guideline issued by the Union of India and/or Director General Re-settlement the petitioner submits tender paper before the General Manager (P&A) within two weeks, the authority concerned will consider the claim of petitioner alongwith others tenderers, in accordance with law.

8. If the tender submitted by the petitioner is rejected for one or other ground, the authority concerned will communicate the ground to the petitioner.

9. It may be mentioned that the Court has not determined the claim on merit.

10. The writ petition stands disposed of, with the aforesaid observations.