



**भारतीय राजमार्ग अभियन्ता अकादमी**  
(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)  
**Indian Academy of Highway Engineers**  
(Ministry of Road Transport and Highways Govt. of India)

F.No.IAHE/Lab/IAFS/Uganda/2018-19

27 Sept, 2023

To,

M/s Enkay Enterprises,  
605, Padma Tower-II  
22, Rajendra Place,  
New Delhi-110008 (India)  
Tel: +91-11-41539634, Fax: +91-11-41539633  
Email: enkayenterprises@gmail.com

(Kind attention: Mr. N Tully, Proprietor, M/s Enkay Enterprises)

Subject: Establishment of Regional Materials Testing Laboratory in Uganda under IAFS-II – Installation and commissioning of all the equipment at final destination CML, Kampala, Uganda – Withdrawal of 'NON-PERFORMER' status of agency regarding.

Sir,

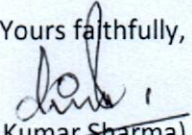
Please refer to IAHE letter of even no. dated 5<sup>th</sup> April, 2023 vide which M/s Enkay Enterprises was declared as 'Non-Performer' due to non-performance of its obligations under the contract agreement for aforesaid project (copy enclosed).

2. Now, Chief Materials Engineer, Central Materials Laboratory (CML), Ministry of Works and Transport, Kampala, Uganda vide his letter no.CML/Equipment/001/23 dated 23<sup>rd</sup> Sept, 2023 (received vide email on 26<sup>th</sup> Sept, 2023 @ 7.39 PM) addressed to M/s Enkay Enterprises with copy to Joint Director, IAHE has confirmed that A team of technical representatives from M/s Enkay Enterprises arrived at Uganda on 15<sup>th</sup> Sept, 2023 and completed the installation during 16-23 Sept, 2023. It is also intimated that M/s Enkay Enterprises has conducted installation, demonstration, commissioning and training for equipment supplied under the captioned contract in accordance with the terms of the agreement. The installation has been completed on 23<sup>rd</sup> Sept, 2023 after delivery of equipment at CML, Kampala on 16<sup>th</sup> Aug, 2022, viz. over 13 months period.

3. Keeping the fulfillment of the obligations by M/s Enkay Enterprises though after delays and report on satisfactory installation, demonstration, commissioning and operational training by the CML, Kampala, IAHE hereby withdraw 'Non-Performer' status imposed on the agency with immediate effect.

4. This issues with the approval of competent authority.

Yours faithfully,

  
(Dinesh Kumar Sharma)  
Joint Director

Copy for information to:

- (i) Joint Secretary (IC), Ministry of Road Transport & Highways (MoRTH), Govt. of India, New Delhi- 110001
- (ii) Joint Secretary (IAHE), Ministry of Road Transport & Highways (MoRTH), Govt. of India, New Delhi- 110001
- (iii) Joint Secretary (E&SA), Ministry of External Affairs (MEA), Govt. of India, New Delhi-110001
- (iv) NIC for uploading on the MoRTH website.
- (v) NIC for uploading on the MSME website.

Please note: All correspondence should be addressed to the Director by designation only

A-5, Institutional Area, Sector-62, Noida (UP) – 201309 (India)  
Tel 0120-2405006-9 Email: [director.iahe@gmail.com](mailto:director.iahe@gmail.com) Website: [iahe.org.in](http://iahe.org.in)



F.No.IAHE/Lab/IAFS/Uganda/2018-19

5<sup>th</sup> April, 2023

To,

M/s Enkay Enterprises,  
605, Padma Tower-II  
22, Rajendra Place,  
New Delhi-110008 (India)  
Tel: +91-11-41539634, Fax: +91-11-41539633  
Email: enkayenterprises@gmail.com

(Kind attention: Mr. N Tully, Proprietor, M/s Enkay Enterprises)

Subject: Establishment of Regional Materials Testing Laboratory in Uganda under IAFS-II – Installation and commissioning of all the equipment at final destination CML, Kampala, Uganda – **Declaration as 'NON-PERFORMER' agency** regarding.

Sir,

Consequent upon the notice served under the 'Clause 2.26 Termination for Default' vide email dated 3<sup>rd</sup> March, 2023, M/s Enkay Enterprises neither submitted comprehensive response nor sent his team of personnel to complete installation, commissioning, acceptance of equipment, organize demonstration and hands-on training at CML, Kampala, Uganda as per the agreement.

2. It has been intimated to M/s Enkay Enterprises several times in writing that 4th Extension of Time (EoT) granted had already expired on the 31 Jan, 2023 but no action has been taken for the extension as well as submitting revised timelines and completing the project. The equipment supplied by M/s Enkay Enterprises vide Ref. No.EKE/2021-22/IAHE/Payment dated 16.08.2022 are lying at CML, Kampala, Uganda in the want of the installation, testing, commissioning and hands-on training for their intended utilization and purposes. However, IAHE had already paid a total 90% payment (refer clause GCC 2.20 of SCC) of contract amount on 4th Oct, 2022 and 15 Nov, 2022 against the bills submitted. Since then M/s Enkay Enterprises is neither deputing his team of personnel for installation, testing, training and commissioning the laboratory equipment nor submitting any response.

3. The task for installation, commissioning, testing, etc. has not been completed even after several months of the scheduled completion period. As such your firm has been rated as '**NON-PERFORMER**'. Further necessary actions in terms of the contract agreement shall be initiated under the Clause 2.25 Penalty clause and Clause 2.26 of GCC and SCC of the agreement including debarment/blacklisting, forfeiting performance security, imposing liquidated damages for delays and not performing the obligations specified under the scope of supply (refer clause 2.4 of GCC and items in the list at page 55 of the agreement).

4. M/s Enkay Enterprises is therefore declared as '**NON-PERFORMER**' agency in terms of Standard Operating Procedure to debar/penalize/declare the contractor/concessionaire as Non-Performer issued vide F.No.RW/NH-33044/76/2021-S&R(P&B) dated 4<sup>th</sup> Jan, 2022 and DoE, MoF guidelines issued vide O.M. F-1/20/2018-PPD dated 02.11.2021.

5. This issues with the approval of competent authority.

Yours faithfully,

(Dinesh Kumar Sharma)  
Joint Director

Copy for information to:

- (i) Joint Secretary (IC), Ministry of Road Transport & Highways (MoRTH), Govt. of India, New Delhi- 110001
- (ii) Joint Secretary (IAHE), Ministry of Road Transport & Highways (MoRTH), Govt. of India, New Delhi- 110001
- (iii) Joint Secretary (E&SA), Ministry of External Affairs (MEA), Govt. of India, New Delhi-110001
- (iv) NIC for uploading on the MoRTH website.
- (v) NIC for uploading on the MSME website.
- (vi) IAHE for uploading on the website.

Please note: All correspondence should be addressed to the Director by designation only

A-5, Institutional Area, Sector-62, Noida (UP) – 201309 (India)  
Tel 0120-2405006-9 Email: [director.iahe@gmail.com](mailto:director.iahe@gmail.com) Website: [iahe.org.in](http://iahe.org.in)

---

**MSEFC-CASE-No.= UDYAM-DL-01-0022341/S/00004 (Temporary Case Number)**  
**Submitted successfully**

---

Tonny Mugenyi &lt;trmugenyi@gmail.com&gt;

Tue, Sep 26, 2023 at 7:39 PM

To: Dinesh Kumar Sharma &lt;jd.iahe@gmail.com&gt;

Cc: Enkay Enterprises <enkayenterprises@gmail.com>, Bidyut Behari Swain <secretary-msme@nic.in>, Ateesh Singh <js.afi-msme@gov.in>, Narayan Tatu Rane <min-msme@nic.in>, PS to Minister MSME <pstomin-msme@nic.in>, Bhanu Pratap Singh Verma MOS MSME <mos-msme@gov.in>, MSME-MDPMS <helpline-msme@gov.in>, apstomin-msme@nic.in, osd-msme@nic.in, Director IAHE <director.iahe@gmail.com>, Mayank jain <jmayank760@gmail.com>, mahmood.ahmed@nic.in, js-logistic@gov.in, jsafr@mea.gov.in, jsesa@mea.gov.in, High Commissioner Kampala <hc.kampala@mea.gov.in>, "Head of Chancery, HCl, Kampala" <hoc.kampala@mea.gov.in>, "Dr. Prakash Shelat" <dsesa1@mea.gov.in>, P K Srivastava CVC <cvc@nic.in>, "Shri P. Daniel, Secretary, Central Vigilance Commission" <secy.cvc@nic.in>, "Sh P. K. SRIVASTAVA" <vc02-cvc@gov.in>, Bageya Waiswa <bageyawaiswa@yahoo.co.uk>, sbagonza07 <sbagonza07@yahoo.com>, eicoffice2016 <eicoffice2016@gmail.com>, "Eng. Dr. Odongo Michael M" <mmodongo@infocom.co.ug>

Dear Sir,

Greetings

I wish to report that on the 23rd September 2023, a team of two engineers/technicians completed the Installation, Commissioning and Training. Attached herewith is a letter to that effect.

We are preparing a report which will include the program, list of staff trained, verification of equipment supplied, installation of equipment, training activities inclusive of photographic presentation which will be submitted before close of business tomorrow.

We request that other activities under Article 3 and 5 of the agreement between Uganda and India of training, technology transfer and other technical assistance are implemented.

We remain grateful for the support extended to Uganda by the Government of India.

Regards

[Quoted text hidden]

--

Eng. Tonny .R. Mugenyi PMP,  
BSc(Eng.), MEng., MUIPE, R.Eng,  
Assistant Commissioner/Chief Materials Engineer,  
Materials Testing and Research Division/Central Materials Laboratory,  
Ministry of Works and Transport.  
P. O Box 7188 Kampala  
Telephone +256-772/701-576631

---

 scan0029.pdf  
268K



Telephone General :0414-320101-9  
Hon. Minister :0414-235730/255028  
Hon. Minister Of State (Works) :0414-349487  
Hon. Minister Of State (Transport) :0414-320026  
Permanent Secretary : 0414-259139/322  
Fax :0414-236369

Email; mwot@works.go.ug  
website: www.works.go.ug

In any correspondence on this subject  
please quote No.



**Ministry Of Works And Transport**  
Plot 57-59 Jinja Road  
P.O. Box 7174  
Kampala - UGANDA

CML/Equipment/001/23

23<sup>rd</sup> September 2023

M/S Enkay Enterprises

605, Padma Towers

22 Rajendra Place

New Delhi



**RE: CONTRACT AGREEMENT No. IAHE/LAB/IAFS/UGANDA/2018-19/Enkay  
dated 31-07-2023 for Establishment of Regional Materials Laboratory in  
Uganda under India-Africa Forum Summit-II (National Competitive Bidding)  
Installation, Demonstration, Commissioning and Training**

A team of technical representatives from your firm namely Mr. Sushil Kumar Sharma and Mr. Gyan Prakash arrived in Uganda on the 15<sup>th</sup> September 2023.

From the 16<sup>th</sup> September 2023 up to the 23<sup>rd</sup> September 2023 at the Ministry of Works and Transport-Central Materials Laboratory-Kireka, they conducted the installation, demonstration, commissioning and training for equipment supplied under the above captioned contract, in accordance with the terms of the agreement.

All the equipment were checked and found to comply with the requirements of the packing list and specifications. The installation, demonstration, commissioning and training were carried out to our satisfaction. The performance of the equipment was very good. 34 staff were trained in the calibration, operation and maintenance of the equipment.

On behalf of the Ministry of Works and Transport, we are very grateful for the technical support extended by the Indian Academy of Highway Engineers (IAHE) through M/S Enkay Enterprises. We highly recommend M/S Enkay Enterprises for any other opportunities related to supply, training and installation of laboratory equipment based on their good performance.

  
Eng. Tonny Mugenyi  
**CHIEF MATERIALS ENGINEER**  


Copy to : Joint Director-IAHE

Telephone General :0414-320101-9  
Hon. Minister :0414-235730/255028  
Hon. Minister Of State (Works) :0414-349487  
Hon. Minister Of State (Transport) :0414-320026  
Permanent Secretary : 0414-259139/322  
Fax :0414-236369

Email: [mwot@works.go.ug](mailto:mwot@works.go.ug)  
website: [www.works.go.ug](http://www.works.go.ug)

In any correspondence on this subject  
please quote No.



**Ministry Of Works And Transport**  
Plot 57-59 Jinja Road  
P.O. Box 7174  
Kampala - UGANDA

CML/Equipment/001/23

23<sup>rd</sup> September 2023

M/S Enkay Enterprises

605, Padma Towers

22 Rajendra Place

New Delhi

**RE: CONTRACT AGREEMENT No. IAHE/LAB/IAFS/UGANDA/2018-19/Enkay  
dated 31-07-2023 for Establishment of Regional Materials Laboratory in  
Uganda under India-Africa Forum Summit-II (National Competitive Bidding)  
Installation, Demonstration, Commissioning and Training**

A team of technical representatives from your firm namely Mr. Sushil Kumar Sharma and Mr. Gyan Prakash arrived in Uganda on the 15<sup>th</sup> September 2023.

From the 16<sup>th</sup> September 2023 up to the 23<sup>rd</sup> September 2023 at the Ministry of Works and Transport-Central Materials Laboratory-Kireka, they conducted the installation, demonstration, commissioning and training for equipment supplied under the above captioned contract, in accordance with the terms of the agreement.

All the equipment were checked and found to comply with the requirements of the packing list and specifications. The installation, demonstration, commissioning and training were carried out to our satisfaction. The performance of the equipment was very good. 34 staff were trained in the calibration, operation and maintenance of the equipment.

On behalf of the Ministry of Works and Transport, we are very grateful for the technical support extended by the Indian Academy of Highway Engineers (IAHE) through M/S Enkay Enterprises. We highly recommend M/S Enkay Enterprises for any other opportunities related to supply, training and installation of laboratory equipment based on their good performance.

  
Eng. Tonny Mugenyi  
  
**CHIEF MATERIALS ENGINEER**

Copy to : Joint Director-IAHE