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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 17461/2024 CM APPL. 74259/2024

**HIRA POWER AND STEEL LTD.**

.....Petitioner

Through: Mr Rajshekhar Rao, Sr Advocate with  
Mr Abhinav Kardekar, Mr Pallav  
Mongia, Mr Ayush Singh Solanki, Mr  
Shasank Dwivedi, Mr Amrithesh  
Krishna, Mr Anubhav Mishra,  
Advocates.

versus

**STEEL AUTHORITY OF INDIA & ANR.**

.....Respondents

Through: Mr Jayant Mehta, Sr Advocate with  
Mr Samaksh Goyal and Ms.Tina  
Aneja, Advocates for R1.

**CORAM:**

**HON'BLE THE ACTING CHIEF JUSTICE**

**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

**ORDER**

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**23.12.2024**

1. The petitioner has filed the present petition, *inter alia*, impugning the eligibility criteria as set out in the tender floated by respondent no.1/Steel Authority of India (hereafter *the SAIL*) for procurement of 5000 MT of Low Carbon Ferro Manganese (LCFM) for Rourkela Steel Plant.
2. According to the petitioner, the eligibility criteria as set out in the Notice Inviting Bid No.GEM/2024/B/4986777 (dated 28.05.2024 issued on GeM portal) is palpably arbitrary inasmuch as it permits the entities who are non-manufacturers of LCFM to participate in the bid.
3. It is the petitioner's case that the said condition is arbitrary as the manufacturers of LCFM are required to meet stringent standards and permissions to manufacture LCFM, including environmental permissions. Thus, permitting traders to participate in the bidding process, effectively



enables persons to subvert the strict pollution norms that have been imposed for manufacturing the product in question.

4. The respondent has filed an affidavit confirming that only three bids are being considered as responsive and all of the three bidders are manufacturers of LCFM.

5. It is also relevant to note that the petitioner had voluntarily withdrawn from the said bid process.

6. In view of the above, the petitioner's grievance that non-manufacturers may be awarded the contract for supply of LCFM does not survive. Accordingly, the petition is dismissed. Pending application is also disposed of.

**VIBHU BAKHRU, ACJ**

**TUSHAR RAO GEDELA, J**

**DECEMBER 23, 2024**

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*Click here to check corrigendum, if any*