



Subject: - Debarring/ blacklisting order of M/s La-Chemico Private Ltd.

Order No: 32-JKMSCL of 2024

Dated: 12-06-2024

Whereas, this office had issued various purchase orders in favour of M/s La Chemico Private Ltd. for supplying the Drugs / other hospital supplies meant for Supplementary Demand 2022-2023 and Annual Demand 2023-2024 placed on 17-10-2022, 16-11-2022 and 28-02-2023 respectively;

Vide this office letter No. JKMSCL/GM/P&S/2022 /14333-38 dated 24-03-2023 M/s La Chemico Private Ltd, was directed to deliver unexecuted supply within 15 days without any further delay failing which JKMSCL shall initiate action as per NIT/SPP of JKMSCL;

Whereas, vide this office letter No. JKMSCL/GM /P&S/ 2023/795-99 dated 25-04-2023, a notice was served to the concerned firm for non-seriousness in execution of supply orders issued by this office from time to time and also informed that despite lapse of 06 months for executing the various purchase orders followed by several reminders M/s La-Chemico Private Ltd. have not complied with the terms and conditions of the supply order(s) and rate contract(s). Further, the concerned firm was directed to explain the position with regard to the non-execution of supply within 10 days;

Whereas, vide this office letter No. JKMSCL/GM/P&S/2023- 24/2494-2500 dated 25-05-2023, the concerned firm was again asked to execute the supply under supplementary demand 2022-2023 and Annual Demand 2023-2024 as per details of the purchase orders issued to concerned firm without any delay, failing which the JKMSCL shall be constrained to initiate action as per NIT /SSP of JKSMCL;

Whereas, vide this office letter No. JKMSCL/GM /P&S/2023/3420-24 dated 30-05-2023, last opportunity was given to the concerned firm to execute the supply of approved drugs/medicines specially ORS sachets and Tablets Zinc 20mg;

Whereas, this office had received a communication from M/s La-Chemico Private Ltd vide No. LCPL/2022 /JKMSCL/019 dated 31- 05-2023, wherein the firm stated that, a fire incident occurred in their factory for which the production was stopped for few months. Further, the firm had also requested JKMSCL to grant the extension for 32 -45 days with regard to the execution of supply;


Whereas, vide this office order issued under endorsement No. JKMSCL/GM/P&S/2023/1830-36 dated 06-10-2023. the Rate Contract(s) and Purchase Order(s) issued to M/s La Chemico Private Ltd were cancelled on account of non execution as per the details mentioned in Annexure "A";

Whereas, Clause 3.5 of the Policy for Blacklisting /Debarring of Product or Company, is reproduced as under; -

If the supplier fails to execute atleast 60% of the quantity of item mentioned in purchase order and such failure in supply continues for three purchase orders, then supplier firm will be liable for blacklisting for a period of not Less than 2 years. As a result, such supplier will be ineligible to participate in any of the tenders for particular item(s) of drugs / medicines for a period of not less than 2 years or the period specified in tender document.

Whereas, the instant matter was placed before the Disciplinary Committee of JKMSCL held on 20-12-2023 for further examination and it was decided by the Committee that a final showcase notice be issued to M/s La Chemico Private Ltd, in lieu of principles of natural justice before initiating action against your firm as per the clause 3.5 of the Policy for Blacklisting / Debarring of Product or Company of JKMSCL;

Whereas, vide No. JKSMCL/Adm/139/2023/7581-86 dated 09- 03-2024 a final Show Cause Notice was issued to the concerned firm with the direction to explain the position regarding the instant issue within 05 days positively;

 Whereas, this office has received the reply to the final Show Cause Notice from M/s La-Chemico Private Ltd. vide No. LA/23- 24/JKMSCL/001 dated 13-03-2024 stating that there is outstanding payment lying with JKMSCL. However, as per the records available with JKMSCL, there is nothing outstanding with JKMSCL;

Whereas, the instant matter and reply submitted by M/s La-Chemico Private Ltd. was again placed before the Disciplinary Committee of JKMSCL

in its meeting held on 21-05-2024 for further examination and it was decided as under:-

"The issue was discussed in the Disciplinary Committee meeting on 21-05-2024 and it was found that various opportunities were given to M/s La-Chemico Private Ltd, but they have failed to execute the purchase orders in total and was trying to mislead JKMSCL by frequently changing the delivery dates. Also the firm till date has not provided any documents in support of the fire incident.

Now, the firm has again made another statement that there is outstanding payment lying with JKMSCL, which was denied by the Accounts Section of JKMSCL. It is clear beyond doubt that the firm is trying to hoodwink and mislead JKMSCL by making unsubstantiated statement of claims".

Whereas, the above decision was examined and it has been decided to initiate action against M/s La Chemico Private Ltd, as per the clause 3.5 of the Policy for Blacklisting / Debarring of Product or Company of JKMSCL:


Therefore, in view of the above facts, it is hereby ordered that M/s La Chemico Private Ltd, 66/1A, Balthak, Khana Road, 1st Floor, Kolkata is hereby blacklisted / debarred from JKMSCL for a period of 02 years from the date of issuance of this order, in light of the Clause 3.5 of the Policy for Blacklisting / Debarring of Product or Company and Terms & Conditions of the NIT/ Rate Contracts.

Sd/-
Managing Director,
J&K Medical Supplies Corporation Ltd.

No: JKMSCL/Adm/2024/Disciplinary/1899-06 Dated: 12/06/2024

Copy to the:

1. Secretary to the Government, Health & Medical Education Department, Civil Secretariat, Jammu / Srinagar.
2. Principal, Govt. Medical Colleges (All), J&K/ Principal, Govt. Dental Colleges (All), J&K/ Director Health Services, Jammu / Kashmir.
3. Financial Advisor / CAO, J&K Medical Supplies Corporation Ltd.
4. General Manager (P&S), J&K Medical Supplies Corporation Ltd.
5. Dy. General Manager (Tend. / Legal), JKMSCL.
6. Medical Officer (All), J&K Medical Supplies Corporation Ltd.
7. Assistant Programmer (M), JKMSCL with the direction to upload the same on official website.
8. Office Copy.


General Manager (Adm.),
J&K Medical Supplies Corporation Ltd.