



JAMMU AND KASHMIR MEDICAL SUPPLIES CORPORATION LTD.

(Public Sector Undertaking of Govt of Jammu & Kashmir)

Corporate Office Jammu: Plot No 58, Friends Colony, Marble Market, Trikuta Nagar, Jammu

Corporate Office Kashmir: Opp. State Motor Garage, Near Hajj House, Bemina, Srinagar

Telephone: 0191-3510489 (Jammu); Telephone: 0194-2493607 (Srinagar)

Subject: Debarred/ Blacklisting order in favour of M/s Sakhi Enterprises, SCO - 221, Subhash Market, Model Town, Near D - Park Rohtak, Haryana.

Order No: 81 - JKMSCL of 2024

Dated: 21 /09/2024

Whereas, this office had issued various purchase orders in favour of M/s Sakhi Enterprises for supplying the Drugs meant for Annual Demand 2021-22, Annual Demand 2022-23, Free Drug Policy 2022-23, Supplementary Demand 2022-23, Annual Demand 2023-24 and Shri Amarnath Ji Yatra 2023 against NIT No. JKMSCL/Allop. Medicines/2021/447 dated: 14-01-2021 placed on 07-09-2021, 09-09-2021, 16-10-2021, 22-12-2021, 29-12-2021, 06-01-2022, 06-10-2022, 17-10-2022, 16-11-2022, 03-03-2023, 06-03-2023, 09-03-2024 and 26-04-2023 respectively;

Whereas, the above mentioned firm failed to execute all the purchase orders for the in question item(s) in light of the terms and Conditions NIT, Agreement and Rate Contract.

Whereas, the relevant Clauses of Policy for Blacklisting /Debarring of Product or Company are reproduced as under:-

Clause 2: On account of failure to enter into agreement or withdrawal after agreement or refusal / failure to supply:

2.1. The successful tenderer fails to execute the agreement after being declared as L-1, L-2 or L-3 etc. to perform the obligations under the tender conditions, EMD of such tenderer firm shall be forfeited and firm shall be liable for blacklisting for a period of not less than 2 years or the period specified in tender document.

2.2. The successful tenderer after entering into an agreement withdraw or fail to honour commitments as per tender conditions, Security Deposit of such tenderer firm will be forfeited and firm will be liable for blacklisting for a period of not Less than 2 years.

Clause 3.4: 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, 06 non-execution notices were issued to the firm to explain the position with regard to the non-execution the supply vide No. JKMSCL/DGM

(P&S)/2022/273-76 dated 19-05-2022, JKMSCL/GM/P&S/ 2022/ 10119-24 dated 21-12-2022, JKMSCL/GM/P&S/2022/ 14327-32 dated 24-03-2023, JKMSCL/GM/P&S/2952-58 dated 25-05-2023, JKMSCL/GM/ P&S/2023-24/4271-77 dated 10-06-2023 and JKMSCL/GM/P&S/2023-24/ 5528-34 dated 27-06-2023;

Whereas, firm failed to execute 50 purchase orders for the relevant item(s) in light of the terms and Conditions NIT and Rate Contract;

Whereas, the drugs approved in favour of the said firm were "Essential Drugs" which has put the patient healthcare at risk due to non-execution of supply of various drugs, which hampered the patient Healthcare in all the Health Institutions of Union territory of Jammu & Kashmir;

Whereas, a Show Cause Notice vide JKMSCL/GM/P&S/2023-2024/ 6995-7000 dated 25-07-2023 was served to the firm with the directions to execute the supplies within 15 days, failing which JKMSCL shall be constrained to initiate action as per NIT/SPP of JKMSCL;

Whereas, another Show Cause Notice vide no. JKMSCL/GM/P&S/2023-2024/8891-96 dated 23-08-2023 was served to the firm, wherein one last opportunity was given to the firm to execute the supplies of all the Purchase Orders placed by JKMSCL within 10 days, failing which JKMSCL shall be constrained to initiate disciplinary action warranted under rules including debarring the firm as per NIT / SPP of JKMSCL;

Whereas, despite of given various opportunities, the supplies has not be executed by the firm till date;

Whereas, the instant matter was placed before the Disciplinary Committee of JKMSCL in its meeting held on 03-09-2024 for further examination and wherein it has been decided that action be initiated against the firm as per the clause 2 & 3.4 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 Sakhi Enterprises, SCO-221 Subhash Market, Model Town, Near D-Park Rohtak, Haryana is hereby blacklisted/debarred from JKMSCL for a period of 02 years from the date of issuance of this order and the EMD(s) submitted by the firm against the above mentioned NIT(s) is/are hereby forfeited, in light of clause 2 & 3.4 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/2024-25/5390-97

Dated: - 21 /09/2024

Copy to the:

1. Secretary to Govt. Health and Medical Education department Civil Secretariat J&K, Jammu/Srinagar

2. All Principals Govt. Medical Colleges, J&K /Director Health Services Jammu/Kashmir.
3. Financial Advisor/CAO, J&K Medical Supplies Corporation Ltd. with the request to forfeit the EMD(s) submitted by the firm against the above mentioned NIT(s).
4. General Manager (P&S.), J&K Medical Supplies Corporation Ltd.
5. Dy. General Manager (Tendering), J&K Medical Supplies Corporation Ltd.
6. M/s Sakhi Enterprises, SCO - 221, Subhash Market, Model Town, Near D- Park Rohtak, Haryana.
7. Assistant Programmer (M) with the direction to upload the same on the official website.
8. All Medical Supplies Corporation (S) for information.
9. Office File


General Manager (Adm.)
J&K Medical Supplies Corporation Ltd.
21/9/24