

File No- BMSIC/40010/130-2023/ 8359

Date:- 09/01/2024

Order

M/s Unisur Lifecare Pvt. Ltd. having its Head Office at No-15/1,2,3 Andrahali Main Road, Acharya Industrial Complex, Vishwaneedam Post, Bangalore-560091 has participated in Tender No-BMSIC/MEDICAL DEVICES/CONSUMABLES/21-01 and was awarded the rate contract for the quoted products: -

- 1) Catgut Chromic with needle 1 [S0182]
- 2) Catgut Chromic with needle 2-0 [S0180]
- 3) Catgut Chromic with needle 1-0 [S0179]

Subsequently, the firm M/s Unisur Lifecare Pvt. Ltd. was issued Purchase Order for 90000 Unit of Catgut Chromic with needle 1, 45000 Units of Catgut Chromic with needle 2-0 & 90000 Unit of Catgut Chromic with needle 1-0 vide Letter No. BMSIC/40025/172-2021/9570 dated 27.02.2023. The firm did not supply the ordered quantity within stipulated time of 60 days.

In view of the above, BMSICL issued show cause to the firm vide mail dated 09.08.2023 against which no reply was received. Till today the firm has not been supplied the said Purchase order.

Subsequently, final show cause notice was issued to the firm vide letter no. 7711 dated 12.12.2023, against which firm has replied that "we had a huge scarcity of raw materials due to increased supply lead time and cost as well, we put all our efforts and tried hard to supply but the cost of raw materials is rose up abnormally and we stuck up in a huge loss now and even with the previous supplies. We being an SSI unit we have faced a lot of challenges after Covid-19 outbreak. To sustain in market and to justify our employer's responsibility keeping our employee's security in mind we had come across many hurdles. Just to have a good relationship with the corporation and to abide by the terms and conditions of the tender we have taken at most risk but now things are out of our hands and the firm is faced with a huge financial loss. Corporation had also made a lot of delay in processing our pending payments in meantime for completed supplies which played major role in putting us in this unexpected hard situation. We had an issue with our raw materials supplier due to some diplomatic issues like war, border issues, non-payment etc. Due to the above circumstances management has finally decided not to continue any supplies which are having old prices, which are more than a year and the expired rate contracts which are running under extension. We too understand the corporation's objectives and that is why we supported it for so many years but at present we are left with the only option of apologizing for our non-support in this regard anymore".

As the said purchase order was issued on 27.02.2023 and non supply of this essential drug adversely affect the objectives of BMSICL i.e. Free Product supply to every patients at all Government Health Facilities in the State of Bihar and your reply of this show cause was found to be unsatisfactory. This is the violation of Clause 27(C) of the Standard Bidding Document.

Clause 27(C) of the Standard Bidding Document States that, "BLACKLISTING FOR NON-SUPPLY/ PART SUPPLY/DELAYED SUPPLY/NON-FULFILLMENT OF CONTRACT OBLIGATION: -

Notwithstanding various actions and penalties for non-supply and/or delayed supply of the drugs and medicines as stipulated in the terms and conditions of the tender, the BMSICL, shall take action against the supplier as follows:

(i) In case, the supplier is found to be habitual defaulter of delayed supply or not supplying the full quantity in time, the balance amount of performance security of such company shall be forfeited. No further supply order shall be given to them and company shall be barred from participating in any tender




floated by BMSICL, further other punitive action such as blacklisting of the firm for a minimum period of 2 years from the date of intimation for blacklisting/debarring.

(ii) Purchase orders, if any, already issued before taking any blacklisting action or orders given in past will not be affected in view of action taken as per above guidelines but all strict quality checks shall be observed for each supply of products.

The blacklisting of particular product or company/firm will be done without prejudice to other penalties which may be imposed as per the conditions of Tender documents and also to other actions which may be initiated under Drugs and Cosmetics Act, 1940 or any other law of Land. BMSICL will display names of such blacklisted product(S) and company/firm on its website for general notice.”

Hence, in view of the provisions in Standard Bidding Document, the non executed Purchase Order No. BMSIC/40025/172-2021/9570 dated 27.02.2023 issued to the firm M/s Unisur Lifecare Pvt. Ltd., No-15/1,2,3 Andrahali Main Road, Acharya Industrial Complex, Vishwanedam Post, Bangalore-560091, is hereby stand cancelled with immediate effect apart from forfeiture of security deposit submitted for Catgut Chromic with needle 1 [S0182], Catgut Chromic with needle 2-0 [S0180] & Catgut Chromic with needle 1-0 [S0179].

Memo No. 8359


(Managing Director)

Date:- 09/01/2024

Copy to: The Managing Director, M/s Unisur Lifecare Pvt. Ltd. For information and needful action.


Memo No. 8359


(Managing Director)

Date:- 09/01/2024

Copy to:

1. The Additional Chief secretary, Department of Health, Govt. of Bihar for kind Information please.
2. Executive Director, State Health Society, Bihar for kind Information please.
3. The CGM (Supply Chain), General Manager (Logistics), General Manager (Finance), BMSICL for information and necessary action. GM (Logistics) is requested to ensure publication of this order on the official website of BMSICL and Notice Board as well.
4. MD, All Medical Corporations and Procurement Agencies all over India for Information and necessary action please.
5. CEO, Government e-Marketplace for information and necessary action please.
6. All Civil Surgeons, Bihar and Superintendents of all Govt. medical colleges and hospitals of Bihar for information and necessary action.


(Managing Director)

