



OFFICE OF THE MANAGING DIRECTOR
ASSAM MEDICAL SERVICES CORPORATION LIMITED
Central Drug Ware House Campus, Patherquery, Narengi, Guwahati, Assam-781026
Email id: md-amsc@assam.gov.in

e-File No: 545539/11968

From : General Manager
Procurement, QC, IT, Logistics
Assam Medical Services Corporation Limited

To : M/s Celon Laboratories Pvt. Ltd
Plot No. 264, Patrika Nagar, Madhapur, Hyderabad-500081 Telengana, India

Sub : Product Debarment Notice for non supply of ordered essential drugs
Doxorubicine HCL Injection 10 mg / 5ml and Glycopyrrolate Injection 0.2 mg/ml

Ref :

1. Tender No.: NHM-43018/2022-PROC/AMSC/ECF: 255581/150953 dated: 09/02/2023 & all relevant corrigendum notices issued against this tender.
2. DVDMS extracted supply status as on date of PO,s placed at Annexure-A.
3. Purchase order placed from AMSC with vide P.O No. placed at Annexure-A
4. Extension (vide Letter No. 545539/7874) was served to company on dated : 22-01-2024.
5. Show-cause notice vide letter no. 545539/8672 was served to company on dated : 03-01-2025.

Sir/Madam,

With reference to the subject cited above, it is to inform you that your company was awarded with the Purchase Orders vide PO No. placed at **Annexure-A** against your FRAMEWORK AGREEMENT with AMSC vide tender under reference at Pt.1 (above).

But unfortunately, you didn't complete the required supply within the contractual delivery period (75days from placing of PO) and period with highest late delivery charges has also crossed i.e., @2% of the value of delayed goods per week of delay or part thereof subject to a maximum of 10% of the total order value (110 days from placing of PO) and also within the extended delivery period also (PO delivery status attached at Annexure-A, whereas it has been observed that your company didn't execute any kind of supply of 03 nos. of PO,s containing 02 nos. of essential drugs in spite of several opportunities given to your company from AMSC end.

AMSC Authority found that said drugs are essential in nature for needy patients

getting treatment in Govt. Hospitals of the state, but your non supply resulted non availability & resulted in increase in out- of-pocket expenditure of the patients.

Hence, a show cause Notice vide Letter No. : 545539/8672 on dated : 03.01.2025 was served to your company "Celon Laboratories Pvt. Ltd" for non supply of 03 nos. of PO,s containing 02 nos. of essential drugs (placed at Annexure-A). But your company didn't respond to the show-cause notice served from AMSCL.

Non supply of ordered essential drugs resulted hindrance in public service and patient are hereby deprived from Govt. scheme of Free Drug Services in Govt. Health facilities of the state.

Details of non supply status as on date as per DVDMS portal is enclosed at Annexure-A with this letter for your reference.

Therefore, in the greater public & patient interest, 02 nos. of products (Doxorubicine HCL Injection 10 mg / 5ml and Glycopyrrolate Injection 0.2 mg/ml) of your company **Celon Laboratories Pvt. Ltd** are hereby **debarred from participating in any tender for 5 years** as per the referred penal clauses of the tender i.e. **Clause No. 5 "Terms & Conditions" Sub clause-H "Debarment/Blacklisting** for failure in execution of supply/non supply/default in supply",

The relevant administrative and financial penalty clauses of the tender under reference are detailed as below-

Clause No.5, "Terms & Conditions" Sub Clause-H, "Debarment/Blacklisting for failure in execution of supply/non supply/default in supply".

Pt. no.(i) "Product Debarment: where it was mentioned that in case of non-supply or incomplete supply (i.e. less than 90% of the total ordered quantity) by the approved manufacturer/importer (Firm) within agreed delivery period including the delay penalty period or any such extended delivery period then the concerned contract shall be cancelled and the manufacturer/importer (Firm) shall be debarred for participating in any bid called by the Authority for 5 years from the date of debarment for that item. In case the manufacturer/importer (Firm) supply 90% or more of the ordered quantity but fails to supply the entire quantity within the allowed delivery period then the firm shall be levied a penalty @ 10% of the value of the short-supplied item and same shall be adjusted against the payment for supply.

Pt. no.(ii) Firm Debarment: The firm shall be blacklisted and debarred from participating in any tender by the TIA or procuring agency for 3 (three) years if the company is debarred for all the items (where it has RC-"Rate Contract" for less than 3 items) or at least 3 items (where it holds RC-"Rate Contract" for more than equal to 3 items). Also as per the

Pt. no. (iii) Forfeiture of Performance Security: a) In case of Product debarment: In addition to product debarment the performance security deposited by the supplier for that particular product shall be forfeited and apportioned towards financial penalty. b) In case of Firm debarment: In addition to firm debarment the entire performance security deposited by the supplier shall be forfeited and apportioned towards financial penalty.

Please be noted that due to non-supply the provision of "Alternative Purchase" will be levied (as per Tender Clause 5., Sub clause M) in addition to the above mentioned administrative as well as financial penalties. The "Alternative Purchase" clause as per tender is hereby detailed below: -

M. Alternative Purchase

i. If the empaneled supplier fails to execute the supply within the stipulated time, AMSC is at liberty to make alternative purchase of the items for which the Purchase Orders have been placed from any other sources (such as Public Sector undertakings at their rates, empaneled bidders, and bidders who have been technically qualified in the said bid) or in the open market even at higher rates at the risk and the cost of the supplier and in such cases AMSC shall have every right to recover the cost and impose penalty, apart from termination of the contract for the default.

ii. In the event of making ALTERNATIVE PURCHASE, the supplier will be imposed penalty apart from forfeiture of Security Deposit. The excess expenditure over and above contracted prices incurred by AMSC in making such purchases from any other source or from the open market shall be recovered from the Security Deposit or from any other money due to the supplier and in the event of such amount being insufficient, the balance will be recovered personally from the supplier or from his properties, as per rules.

This is for favour of your kind information.

Encl: **Annexure-A** (non-completion details of ordered drugs as per DVDMS portal as on 11.03.2025)

Your fait

General Manag

Procurement, QC, IT, Logistics
Assam Medical Services Corporation
Limited

Memo e File No. : 545539/11969-11981

Copy to the:

1. Director of Medical Education, Assam for kind information.
2. Director of Health Services for kind information.

3. Executive Director, NHM, Assam for kind information.
4. Principal cum Chief Superintendent/Superintendent, all Medical Colleges for kind information.
5. Jt. DHS, all Districts for kind information.
6. CFO & GM (F & A), AMSCL for information & he is requested to incorporate financial penalty as mentioned above.
7. DDSM-all Districts and M.O i/c & Pharmacist-all Medical Colleges and office manager (Store & Transport) & Pharmacist NHM-Central Store for information.
8. CDAC-Noida/Guwahati team is hereby informed to deactivate the POs as detailed in the debarment notice.
9. Sr. Manager (IT), AMSCL for information & he is informed to upload the Debarment Notice in the AMSCL website.
10. P.S to the Hon'ble Minister, H & FW for kind information to the Hon'ble Minister.
11. P.S to the Commissioner & Secretary to the Govt. of Assam, H & FW Department & Chairman AMSCL for kind information to the Commissioner & Secretary
12. P.S Commissioner & Secretary to the Govt. of Assam, MERD for kind information to the Commissioner & Secretary.
13. P.A to the Mission Director, NHM, Assam for kind information to the Mission Director.
14. P.A to the Managing Director, AMSCL, Assam for kind information to the Managing Director.

e-sign
General Manager

Procurement, QC, IT, Logistics
Assam Medical Services Corporation
Limited

Annexure-A

<i>DRUG AND VACCINE DISTRIBUTION MANAGEMENT SYSTEM</i>										
<i>NHM and AMSCL</i>										
<i>Guwahati</i>										
<i>PO Delivery Status</i>										
<i>As on Date :- 11-Mar-25</i>										
Sl No.	Item Name	Supplier Name	PO No	Approval Date	Delivery Days	Scheduled date of delivery	Ordered Qty (A)	Dispatched Qty (B)	% of delivery	Days passed since approval
1	Doxorubicine HCL Injection 10 mg / 5ml	Celon Laboratories Pvt. Ltd	2020102384361	26-06-2024	75	08-09-2024	630	0	0	258
2	Glycopyrrolate Injection 0.2 mg/ml	Celon Laboratories Pvt. Ltd	2020102385084	30-06-2024	75	12-09-2024	13670	0	0	254
3	Glycopyrrolate Injection 0.2 mg/ml	Celon Laboratories Pvt. Ltd	2020102386423	05-11-2024	75	18-01-2025	10800	0	0	126