



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. : 601472/20034

From : Managing Director,
Assam Medical Services Corporation Limited

To : Divine Laboratories Pvt. Ltd.
24/B, Sahajanand Industrials Estate , Mujmahuda, Vadodara-390020

Sub : Product Debarment Notice for default in supply of ordered essential drug Sodium valproate Injection 100 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. The detail PO delivery status as on date as per DVDMS portal is placed at Annexure-A.
3. Purchase order issued from AMSC vide P.O No. is placed at Annexure-A.
4. Show-cause notice issued vide letter no. 601472/16222, dated : 14-07-2025.
5. Notice cum Extension issued vide letter no. 601472/17736, dated : 12-08-2025..
6. Show-cause notice issued vide letter no. 601472/19357, dated : 16-10-2025
7. Final Notice cum Extension issued vide letter no. 601472/19531, dated : 01-11-2025.

Sir/Madam,

With reference to the subject cited above, I am to inform you that your company was awarded with the Purchase Orders vide POs (as detailed at **Annexure-A**) to this letter, against your agreement with AMSC vide tender under reference at Pt.1 above.

But you are not yet complete the required supply of essential drug within the contractual delivery period (75 days from placing of PO), 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).

As such, Show-cause notice issued vide letter no. 601472/16222, dated : 14-07-2025 and as per your request, Extension issued vide letter no. . 601472/17736, dated : 12-08-2025, but your company failed to complete the required supply within the extended time-frame. Hence, Show-cause notice issued vide letter no.601472/19357, dated : 16-10-2025 and as per your request, final Final Notice cum Extension issued vide letter no. 601472/19531, dated : 01-11-2025, but yorr company failed to complete the required supply within the extended time frame.

AMSC Authority found that said drug is essential in nature for needy patients getting treatment in Govt. Hospitals of the state, therefore show cause notice was served to your company vide letter under reference at pt.4, pt.6 (above) and delivery extension with additional time period (under reference at pt.5, pt.7 was given. (Details on non-completion of supply report as per DVDMS portal is attached with this letter at Annexure-A

All efforts as mentioned above via several notices, extensions, official communications via mail & telephonic calls were made to get the supply from your company and enough opportunities were given to your company to execute supplies of essential drug but your company was found defaulter in terms of completion of supplies in a time bound manner causing non availability & hindrance in public service and also resulted in increase in out-of-pocket expenditure of the patients.

Subsequently further extension has no valid ground to be considered as already in the Final Notice cum Extension letter, it was clearly mentioned as the last communication and upon non-completion of desired supplies product/ firm debarment will be proceed.

Therefore, in the greater public & patient interest, your company '**Divine Laboratories Pvt. Ltd.**' is hereby blacklisted and debarred (for Sodium valproate Injection 100 mg/ml) from participating in any tender for 5 (Five) years (from the date of issuing this letter) as per referred tender Clause No.5, Sub Clause-H, Pt.no.(i) , Pt.no. (iii) & Sub Clause-H for default in supply of 01 nos. of P.O of 01 nos. of essential drug details are placed at Annexure-A

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),

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.

Clause No.5, Sub Clause-M. Alternative Purchase:

i. If the empanelled 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, empanelled 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.

Encl: Annexure-A (non-completion details of ordered drugs as per DVDMS portal as on date : 12.11.2025)

This is for favour of your kind information.

Managing Director,
Assam Medical Services Corporation Limited

Memo e File No. : 601472/20035-20044
Copy to the:

1. Commissioner & Secretary to the Govt. of Assam, H & FW Department & Chairman AMSC for kind information
2. Commissioner & Secretary to the Govt. of Assam, MERD for kind information
3. Mission Director, NHM, Assam for kind information
4. Director of Medical Education, Assam for kind information.
5. Director of Health Services for kind information.
6. Executive Director, NHM, Assam for kind information.
7. Principal cum Chief Superintendent/Superintendent, all Medical Colleges for kind information.
8. Jt. DHS, all Districts for kind information.
9. DDSM-all Districts and M.O i/c & Pharmacist-all Medical Colleges and Admin Manager & Pharmacist & AMSC State Store for information.
10. P.S to the Hon'ble Minister, H & FW for kind information to the Hon'ble Minister.

-e-signed
Managing Director,
Assam Medical Services Corporation Limited

Annexure-A

DRUG AND VACCINE DISTRIBUTION MANAGEMENT SYSTEM									
NHM and AMSC									
Guwahati									
PO Delivery Status									
As on Date :- 12-Nov-25									
SI No.	Item Name	Supplier Name	PO No	Approval Date	Delivery Days	Scheduled date of delivery	Ordered Qty (A)	% of delivery	Days passed since approval
1	Sodium valproate Injection 100 mg/ml	Divine Laboratories Pvt. Ltd.	2020102387658	01-03-2025	75	14-05-2025	1100	54.55	256