



**ODISHA STATE MEDICAL CORPORATION LTD.**  
**(A Govt. of Odisha Undertaking)**

*(ASSURING QUALITY, SAVING LIVES)*

Phone No. : (0674) 2380660,  
 Website: www.osmcl.nic.in,  
 E-mail: logistics.osmcl.od@nic.in

Order No: 10659/1053/2016 (part-1)

Date: 12.09.2019

**ORDER**

M/s Modern Laboratories, 45-47, Sector D-2, Sanwer Road, Industrial Area, Indore (MP) – 452015 was placed with orders for supply of Tab. Calcium and Vitamin D3 vide purchase order no CR19579 dt. 14.03.2019. Whereas, the Supplier did not complete the supply within stipulated time. The detailed supply status of the Supplier is as follows:-

Sl. No	P.O. No(s) / Date	Name of the item (s)	Order quantity	Percentage of quantity delivered
1	CR19579 / Dt. 14.03.2019	Tab. Calcium and Vit. D3 [500mg Elemental Calcium + Vitamin D3 250IU]	10,20,37,800	94.75 %

In view of the above, M/s Modern Laboratories was issued with Show Cause Notice (SCN) vide this office letter no 9832 dtd. 20.08.2019 seeking explanation within seven (07) days of issue of this letter with personal hearing on dt. 28.08.2019 at 4.30 PM, before the Tender Inviting Authority at OSMCL, Bhubaneswar to why OSMCL shall not derecognize/debar the firm due to non-completion of the supply within stipulated time for the above mentioned item(s) for a period upto three (03) successive years in accordance with Purchase order clause no 5(h)(i) and tender clause no 6.39.1(i) vide bid ref no OSMCL/2018-19/DRUGS-DHS-GEN/04.

The authorized representative of M/s Modern Laboratories appeared before the Authority of OSMCL on dtd. 30.08.2019 (rescheduled as per request) and submitted reply on dtd. 27.08.19. It has been stated that, the Supplier has executed 100% of purchase order quantities and submitted the LR number. In the personal hearing, the Supplier has expressed that he has executed 96% of purchase order quantities and remaining 04% is due to damaged quantity what they presumed. But as per e-Niramaya report the percentage of delivery quantity is 94.75%.

It is here to mention that, due to incomplete supply within stipulated time; it has directly affected the distribution of Tab Calcium and Vit. D3 under RMNCH+A programme. Timely supply of Tab Calcium and Vit. D3 is extremely essential towards improving Maternal and Child health, thereby reducing maternal mortality rate and infant mortality rate. The delivered quantity can meet the demand as per the annual indent for a period of two months only. Further, the Supplier had already been given 30 days additional extension beyond maximum allowable period of supply. So he was already allowed a total time duration of 150 days for supply of the drug. Still the Supplier failed to supply the drugs. The maximum allowable period with Liquidated damage is 120 days beyond which the supplies cannot be accepted. However, in the instant case, the supplier was allowed another 30 days at the request of the supplier taking a liberal view.

Further, the monthly production capacity of the firm for the said item as declared by the firm in the bid document is higher than the purchase order quantities.

Hence the reply of the firm in response to show cause notice is not tenable.

*Sanjay K. Singh*  
 12/09/19



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Therefore, as per Purchase order clause no 5(h)(i) and tender clause no 6.39.1(i) vide bid ref no OSMCL/2018-19/DRUGS-DHS-GEN/04, M/s Modern Laboratories, 45-47, Sector D-2, Sanwer Road, Industrial Area, Indore (MP) – 452015 is hereby, debarred for supply of the said item for a period of **one year (01)** from the date of issue of this order.

The Performance Security/ Bank Guarantee/ EMD submitted by the firm for the said item shall stand forfeited in accordance with the terms and conditions of the contract.

*Anuraj*  
*12/09/19*  
**Managing Director, OSMCL**

**Memo No. 10660 Dt. 12.09.2019**

Copy forwarded to M/s Modern Laboratories, 45-47, Sector D-2, Sanwer Road, Industrial Area, Indore (MP) – 452015 for information.

*Anuraj*  
*12/09/19*  
**Managing Director, OSMCL**

**Memo No. 10661 Dt. 12.09.2019**

Copy forwarded to DHS / DMET, Odisha for information and necessary action.

*Anuraj*  
*12/09/19*  
**Managing Director, OSMCL**

**Memo No. 10662 Dt. 12.09.2019**

Copy submitted to the Commissioner-cum-Secretary to Govt., H&FW Department, Odisha for favour of kind information.

*Anuraj*  
*12/09/19*  
**Managing Director, OSMCL**

**Memo No. 10663 Dt. 12.09.2019**

Copy forwarded the G.M. (F&A) / G.M. (QA)/ G.M. (HR) / IT Cell, OSMCL for information and necessary action.

*Anuraj*  
*12/09/19*  
**Managing Director, OSMCL**