



Government of India
Directorate General of Health Services
Government Medical Store Depot

Registered with A/D

PHONE : (033) 2223-0409 / 0452 / 3593 / 6125

FAX : (033) 2223-0838

E-mail : gmsdkol@yahoo.com

9, Clyde Row, Hastings,
Kolkata - 700 022.

Dated : 22nd August, 2008.

OFFICE ORDER No. 81

Sub. :- Permanent De-registration of M/s. Ind-Swift Ltd., Chandigarh

--- reg.

In compliance with the Directorate General of Health Services (Medical Store Organisation), New Delhi vide their letter No. Y-11014/5/2007-Store-III dt. 07.08.2008, It is to inform that M/s. Ind-Swift Ltd., Chandigarh has been Permanently De-registered w.e.f. 07.08.2008 for the reason mentioned below :

Name of the firm	VMS No.	Nomenclature	Reasons
M/s. Ind-Swift Ltd., 781, Industrial Area, Phase - II, Chandigarh - 160 002.	G06066	Tab. Norfloxacin 400mg.	Category 'A' defects
	G12038	Tab. Atenolol 100mg.	Category 'A' defects

Dy. Director General (MS),
Kolkata

To
PE Sec., G.M.S.D., Kolkata - 700 022.

Ref. :- 13[F-13]/PS/De-registration/Ind-Swift/2008-2009/4505

Date : 22.08.2008

Copy for information to :-

- The Addl. Director General (MS), The Dte. General of Health Services, (M.S.O), West Block No. I, Wing No. 6, R. K. Puram, New Delhi-66. — w.r.t. the Dte., letter No. Y-11014/5/2007-Store-III dt. 07.08.2008
- The Director (DM-Dte.), D.G.S.&D., Jeevan Tara Building, New Delhi - 110 001.
- The Drugs Controller of India, Nirman Bhawan, New Delhi - 110 011.
- The Drugs Controller [Licence Authority], F-17, Karkardoome, Delhi - 110 032.
- The Director (Procurement), D.G.H.S., Nirman Bhawan, New Delhi-110 011.
- M/s. Ind-Swift Ltd., 781, Industrial Area, Phase - II, Chandigarh - 160 002.
12. The Officer-In- charges, G.M.S.D., New Delhi, Mumbai, Chennai, Hyderabad, Karnal, Guwahati.
- 13-14. DS : RS, G.M.S.D., Kolkata-22.

Dy. Director General (MS),
Kolkata

This firm has
been provisionally registered

for 10



U-Pt.file/RC130-Med. V

Date: 24.7.08

ORDER

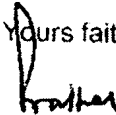
M/s Ind-Swift has been awarded contract for supply of 42 drugs under ESIC Rate Contract 130. The firm has submitted certificate showing three years manufacturing and marketing experience certificate as per Annexure "A" and "B" to the Tender Enquiry Form in respect of 47 items for which they have submitted their tenders. It was found that the period of manufacturing experience from the date of issue of individual drug licenses in respect of 19 drugs is less than 03 years. A Show Cause Notice under letter no. U-25/12/130/2007-Med. V dated 15.2.08 was issued to the firm to explain as to why action should not be taken against them for not providing information as per terms and conditions of tender inquiry and award of contract for supply of drugs under RC-130. In reply the firm vide their letter dated 25.2.08 stated that they submitted valid drug manufacturing license issued by the Drug controller, Himachal Pradesh as per requirements of the tender inquiry. It was also explained that valid manufacturing licenses/drug licenses with current dates were submitted on the basis of requests made to the Drug Controller, Himachal Pradesh for fresh licenses/certificates. The firm also stated that many of the old drug licenses were destroyed in the fire that occurred in their factory at Parwanno on 6.4.2007. In reply to ESIC's reference to clarify the issue, the Drug Controller and licensing Authority, Shimla confirmed vide their letter dated 18.5.08 that the firm has been manufacturing 9 out of 28 products for the last 03 years while in regard to the remaining 19 products the period of manufacturing since date of issue of license fell short of 03 years. It was thus seen that the firm has provided wrong information in Annexure 'A' and 'B' of the Tender Inquiry form. A further Show Cause Notice dated 14.7.08 was issued to the firm to explain as to why action should not be taken against them as per terms and conditions no.3(iii) and warning at Annexure 'E' of the Tender enquiry Form for providing wrong information advising to submit their reply before 29.7.08. In reply to the said Show Cause Notice the firm stated that there were no shortcomings in the tender submitted by them. The reply was not found satisfactory in view of the aforesaid confirmation by the Drug controller, Himachal Pradesh. Keeping in view the entire records, the firm has failed to fulfill the eligibility condition no. 3(iii) of the terms and conditions of ESIC RC130 for supply of Drugs and dressings and as per terms of clause 43 and warning provided

under Annexure 'E' of the term and conditions of the RC130 M/s Ind-Swift is black listed and debarred from participation in ESIC Rate Contracts for procurement of drugs and dressings for a period of 03 years w.e.f 11.8.08.

The firm approached Hon'ble High Court. As per order dated 27.3.2009 of Hon'ble High Court a Show Cause Notice to M/s Ind-Swift indicating the proposal of ESIC to blacklist and debarred the firm for 03 years on the grounds i.e Term and Condition no. 3(iii) , No.43 and as per WARNING of Annexure E of Tender enquiry no.130 was issued on 8.5.09. The firm in their reply dated 29.6.09 has reiterated the facts which were examined earlier. Further scrutiny of tender of M/s Ind-Swift it came to notice that the firm has submitted the 'production certificate i.e Annx'D' not duly signed by Drug controller which is also not as per term and conditions of Tender enquiry 130.

Hence after examining the entire records relating to the issue and as per terms of clause 43 and WARNING provided under Annexure'E' of terms and conditions of the Rate Contract 130 the blacklisting and debarring of M/s Ind-Swift from participation in ESIC Rate Contracts for procurements of drugs and dressing for a period of 03 years w.e.f 11.8.08 is confirmed.

Yours faithfully,



(PRABHAT C.CHATURVEDI)
DIRECTOR GENERAL

Copy to:

1. Shri G.K.Aggarwal, Vice President(Commercial and Institution Divisions), M/s Ind-Swift Ltd., 781, Phase-II, Indl Area, Chandigarh.
2. Medical Commissioner, Hqrs. office.
3. DMC(RC)/Dir(F)/Dir(Vig.)/Director(Med)Delhi/Noida/ Manager Central Stores.
4. All SSMCs/SMCs/MS ESI Hospitals/ Director medical Services ESI Scheme -----/MS ESIC Model Hospital.
5. Spare copy.


29/7/09
DR. (Mrs.) NIRMALA DEVI
Dy. Medical Commissioner (RC)