

**RAJASTHAN
MEDICAL SERVICES CORPORATION LTD.**

(A Government of Rajasthan undertaking)
RHS DP BLOCK, SWASTHYA BHAWAN, TILAK MARG, JAIPUR
(PHONE NO: 141-2225587, Fax No. 0141-5111040, E-mail Id- rmisc.rajasthan@yahoo.in)

ORDER

F.1(13)/RMSCL/FINANCE/2011/541

Date: 21/10/2011

M/s Ind – Swift Limited,
S.C.O. 813, Top Floor, N.A.C
Manimajra, Chandigarh- 160101
Phone:- 0172-6668888-30 lines
Fax:- 0172-5086813

Sub:- Notice of RMSCL No. F.1(4)RMSCL/FINANCE/2011/272 dated 9/9/2011 .

Ref:- Your reply dated 19/9/2011.

You had participated in the tender of RMSCL No. F.1(4)RMSCL/TENDER/2011/01 dated 02/06/2011. Technical Bids of the tender were opened on 5/7/2011. After opening of technical bids, a complaint was received against you that your company stood blacklisted by ESI, Corporation New Delhi. A clarification was sought from you as well as ESI Corporation was requested to inform about the status of your company regarding the issue of blacklisting. Though you denied the same and submitted that the aforesaid order of blacklisting by ESIC had been stayed by Hon'ble Court. Subsequently, the ESIC informed RMSCL, vide their letter no. W.P.11708/09CoI.III dated 21/07/2011 that your company actually stood debarred and blacklisted from participation in ESI rate contract for procurement of drugs for a period of three years w.e.f. 11.08.2008 and the same order was still in force. A careful reading of the aforesaid order of Hon'ble Court also revealed that the court had merely directed the ESIC to issue a notice and pass an appropriate order afresh. Thereafter, after following a due process ESIC had passed an order dated 11/08/2008, blacklisting your company for a period of three years.

Therefore it was clear that your company stood blacklisted on the day the tender was submitted to RMSC. As per the clause 2(e) of bid document, the concern/company was not eligible to participate in the tender if it was blacklisted/banned by any State/Central Government or its drugs procurement agencies. Moreover, the bidder was required to submit an undertaking in the format as mentioned in Annexure XI of bid document that their company has not been blacklisted or banned by any State or Central Govt. or by its Drugs procurement agencies.

Therefore as per the bid condition your company was not eligible to participate in the tender. Moreover you had submitted a false undertaking that too under an oath regarding the status of blacklisting of your company. Again, while submitting your explanation in the first instance, instead of putting forth a true situation, you deliberately tried to mislead the RMSCL.

Therefore after considering the facts and reply submitted by you, it has been decided to debar your company from participating in all tenders of RMSCL till 31/03/2012.

Managing Director

RMSCL