

**DRAFT RULES FOR ENLISTMENT OF BIDDER (FOR SPO)**  
**(MANUFACTURERS/IMPORTERS)/SUPPLIERS IN DIRECTORATE**  
**(PUBLIC HEALTH) OF MEDICAL & HEALTH SERVICES, RAJSTHAN,**  
**JAIPUR**

1. (a) These Rules shall be called "Rules for Enlistment of Bidders/Suppliers (Manufacturers/importers) for Drug & Medicines to the Directorate Medical & Health Services, Raj. Jaipur" issued under rules of GF&AR.  
(b) These rules are issued in lieu of all provisions/rules/orders/clarifications etc. issued by State Govt. with regard to PURCHASE of Drugs & Medicines, Regents & Chemicals etc. under rules of GF&AR.
2. **Applicability:**
  - (a) These Rules shall be applicable to the Directorate Medical & Health Services, Raj. Jaipur only and Bidders/Suppliers (Manufacturers & Importers) enlisted under these rules.
  - (b) All willing bidders (Manufacturers/importers only)/tenderers who wish to participate in the tenders shall be required to submit requisite information's, enlistment fee and required security deposit of enlistment within one month of issuance of notice otherwise disqualified for the purpose of participation on the tender.
3. **Categories of bidder (Manufacturers/importers) :**

There shall be following categories of Bidders (Manufacturers/importers) :

  - A. Bonafied Manufacturers & Importers of Drugs & Medicines for Anaesthetics, Analgesics, Antipyretics, NSAIDs/Drugs used to treat Gout, Antiallergics & Drugs used in Anaphylaxis, Antidotes and other substances used in poisonings, Anticonvulsants, Anti-infective drugs and Ant migraine drugs
  - B. Bonafied Manufacturers & Importers of Drug & Medicines for Harmons and Ant hormones, Antiparkinsonism drugs, Drugs affecting the Blood, Blood Products and Plasma Substitutes, Cardiovascular drugs, Dermatological drugs (topical).
  - C. Bonafied Manufacturers & Importers of Drugs & Medicines for Disinfectants and Antiseptics, Diuretics, Gastrointestinal Drugs, Hormones, other Endocrine drugs and Contraceptives, Immunologicals, Muscle Relaxants (peripherally acting) and Cholinesterase Inhibitors, ENT and Ophthalmological preparations, Oxytocics and Antioxytocics, Peritoneal dialysis solutions, Psychotherapeutic drugs, Drugs acting on the Respiratory Tract, Solutions correcting water, electrolyte and acid-base disturbances, Vitamins and Minerals.
  - D. Bonafied Manufacturers & Importers of Drugs & Medicines for Disinfectants confirming & Effective against HBV & HIV, Drugs for Skin Conditions, Dressing Material & Miscellaneous.
  - E. Bonafied Manufacturers & Importers of Drugs & Medicines for Laboratory Chemicals, Diagnostic Reagents Strips, Reagent for Blood Examination, Diagnostic Kit for Colorimeters, Kit for Serology & Immunology list, Surgical Suture Needles, Disposable.

**Section I – General Conditions**  
**(Applicable to all Categories/Classes of Bidder/Supplier (Manufacturers & Importers))**

**1.1 Enlistment :**

Application for enlistment shall be given in Form-1, along with requisite registration fee, security deposit and other documents/proofs to establish correctness of the facts stated in the application, details of which are given in respective sections.

The Bidders/Suppliers (Manufacturers/importers) shall submit application with three past port size photographs or power of attorney holder(s)/authorised signatory. One photo shall be affixed on application form, one on identity card and third one shall be affixed by enlisting authority in the register of bidders/Suppliers (Manufacturers/importers)s.

1.2 The application form can be obtained from enlisting authority on non-refundable cash payment of Rs. 100/-

1.3 Each enlisted bidder/Suppliers (Manufacturers/importers) shall be issued photo identity card in favour of power of attorney holder(s)/authorised signatory containing following details :-

- (a) Name and Address of the Firm (Manufacturers/Importer)/ Bidders/Suppliers (Manufacturers/importers).
- (b) Enlistment Code No.
- (c) Enlistment Authority.
- (d) Category/Class of Bidders/Suppliers (Manufacturers/importers).
- (e) Validity of Enlistment.
- (f) Name of Power of Attorney Holder(s)/authorised signatory with attested photo and signature (to be attested by enlistment authority)

1.4 Each Bidders/Suppliers (Manufacturers/importers) shall be given code number as under ;

Department/Enlisting Authority/Category/Class/S.No./Year.

The enlistment order should contain the name of the firm, category/class, code number, name of authorised power of attorney holder(s), period of enlistment and enlistment zone etc. Register of Enlistment of Bidders/Suppliers (Manufacturers/importers) shall be maintained in Form-2, by Store Purchase Organization.

**1.5 Registration Fee and Security Deposit for Enlistment :**

Every Bidders/Suppliers (Manufacturers/importers) desiring for enlistment shall have to deposit registration fee and security deposit. Registration fee shall not be refundable and credited to the Revenue Receipt head of the department and security deposit will be kept under deposit head of Account and refundable as per rules. Enlistment fee shall be paid every time seeking renewal of provisional extension or re-enlistment/renewal due to any reason under these rules.

**1.6 Concessional Earnest Money :**

The enlisted Bidders/Suppliers (Manufacturers/importers) shall be eligible to tender for Drugs & Medicines within the jurisdiction of the enlisting authority only by depositing concessional earnest money of the ½% (half percent) as against the normal earnest money of 2% (two percent) of estimated value/amount shown in NIT. However, in case of forfeiture as per rules full normal Earnest Money (2%) shall be forfeited and balance amount will be recovered from the Bidders/Suppliers (Manufacturers/importers).

**1.7 Entitlement to get tender form :**

- (a) Tender documents shall be issued only to Bidders/Suppliers (Manufacturers/importers) who have valid enlistment on the date of issue of the tender forms unless otherwise relaxed. Submission of application for enlistment does not entitle the Bidders/Suppliers (Manufacturers/importers) for issue of tender documents. Similarly, tender documents shall be issued only to those Manufacturers/Importers of category/class who are qualified to tender for that Item.
- (b) *The estimated amount of R.C. or procurement shown in the NIT will be the guiding factor in determining the class of Bidders/Suppliers (Manufacturers/importers) eligible for tender.*

**1.8 Provisional Enlistment :**

The authorities competent to enlist the different categories/class of Bidders/Suppliers (Manufacturers/importers) may enlist the Bidders/Suppliers (Manufacturers/importers) provisionally, if the documents are not complete and there is no serious lacunae in respect of rate contract/services experience and turnover or authority wants to assess the performance of the Bidders/Suppliers (Manufacturers/importers). The maximum period upto which the enlisting authority may enlist provisionally a Bidders/Suppliers (Manufacturers/importers) shall be one year at a time and total provisional enlistment period shall not exceed two years in total.

**1.9 Mode of Enlistment Fee & Security Deposit :**

Registration fee and Security Deposit may be deposited in treasury challan/bank demand draft/banker cheque in favour of the concerned enlisting authority.

1.10 While the security deposit for enlistment mentioned in these rules will entitle the Bidders/Suppliers (Manufacturers/importers) to tender within jurisdiction only by depositing the concessional earnest money but this Security Deposit will not be adjusted towards security deposit initially required at the time of execution of agreement for any purchase order placed. The Bidders/Suppliers (Manufacturers/importers) will have to furnish security deposit separately as per conditions of rate contract for the R.C/ procurement concerned.

1.11 The enlistment security deposit may, however, be appropriated/adjusted/forfeited to effect recoveries from the Bidders/Suppliers (Manufacturers/importers) on account of :

- (a) Shortfall of security deposit of R.C./procurement placed.
- (b) Shortfall of Earnest Money amount forfeited under rules due to any reasons.
- (c) Forfeiture under clause standard agreement form executed with Bidders/Suppliers (Manufacturers/importers).
- (d) Other outstanding dues of any department(s).

**1.12 Enlistment in other Category/Class :**

Similarly, Bidders/Suppliers (Manufacturers/importers) desiring enlistment under other class or category shall have to pay the registration fee, security deposit and capacity certificate as per these rules separately.

**1.13 Sales Tax Clearance Certificate :**

All the Bidders/Suppliers (Manufacturers/importers) are required to apply to the Commercial Taxes Officer of the area in which they are assessed for grant of Sales Tax/Rate contract/services Rate contract Tax Clearance Certificate in the month of *December* every year. The original Sales Tax/Rate

contract/services Rate contract Tax Clearance Certificate alongwith certified copy thereof by a Gazetted Officer should be submitted to the Director/SPO who has enlisted the Bidders/Suppliers (Manufacturers/importers) by the end of *December* every year. The Bidders/Suppliers (Manufacturers/importers), who fail to submit the Sales Tax/Rate contract/services Rate contract Tax Clearance Certificate or fail to show any justifiable reasons for non-supply of the Sales Tax/Rate contract/services Rate contract Tax Clearance Certificate, will be liable to be removed from the approved list of Bidders/Suppliers (Manufacturers/importers).

1.14 Bidders/Suppliers (Manufacturers/importers) will be required to certify that they will not get themselves registered under more than one name.

**1.15 Records of Rate contract/services done :**

Registering Authority will keep upto date record of R.C. done in favour of the Bidders/Suppliers (Manufacturers/importers) or procurement order placed with the Bidders/Suppliers (Manufacturers/importers). Orders completed/complied satisfactorily efficiently will be credited to the Bidders/Suppliers (Manufacturers/importers) account. To ensure this, no. of procurement orders satisfactory complied will be mentioned in his account by the concerned section Incharge.

**1.16 Permanent Address :**

While submitting the application for enlistment, the mailing office and residential address duly verified by Local Body/Panchayat/Police Chowki/Thana shall be given. The enlisted Bidders/Suppliers (Manufacturers/importers) will have to intimate the change in their permanent address duly verified, if any, in future. In case they fail to intimate such changes to the enlisting authority, their name shall be liable to be removed from the Register of Bidders/Suppliers (Manufacturers/importers)s.

**1.17 Change of Partnership :**

The Bidders/Suppliers (Manufacturers/importers)/Firm shall not enter into any fresh partnership without prior intimation to the enlistment authority. Such proposal, if any, shall be submitted in advance giving full details of the intending partnership/sole- proprietorship, the draft partnership deed/affidavit alongwith retiring deed of such partners. Any departure from this will render the Bidders/Suppliers (Manufacturers/importers)/Firm liable to be removed from the Register of Bidders/Suppliers (Manufacturers/importers) of the enlisting authority.

1.18 The Bidders/Suppliers (Manufacturers/importers) will inform the concerned enlistment authority within one month regarding any change of the facts given at the time of enlistment. In case of non-furnishing the timely information, the enlistment will be liable to be suspended/cancelled, if the facts of any change come to the knowledge of the competent authority through any other source.

1.19 If the SPO receives adverse report against any Bidders/Suppliers (Manufacturers/importers), either from the department in which he is enlisted or any other Department/Government, he can stop issuing tenders to that Bidders/Suppliers (Manufacturers/importers) on the basis of such report. The SPO should, however, communicate the information to the Director for record and for approval of the action taken or proposed to be taken by him. Legal advice should be taken before making any recovery reported by authorities, other than the State Government. Security Deposit of a Bidders/Suppliers (Manufacturers/importers) for enlistment can be adjusted against recoveries

intimated by any department of the State Government and can be forfeited under clause of "Conditions of Contract" executed with Bidders/Suppliers (Manufacturers/importers) enclosed with Notice Inviting Tenders.

1.20 The Bidders/Suppliers (Manufacturers/importers) enlisted under these rules shall be qualified to tender for R.C./procurement of Drugs & Medicines for the amount mentioned against each class under any category provided the total amount of the order allotted for execution to each Bidders/Suppliers (Manufacturers/importers) under all categories/class does not exceed 5 (five) times the maximum limit indicated against any class/category in which he is enlisted.

1.21 Any firm/company desiring enlistment in any class/category shall produce attested copy of registration certificate with name of partners, articles of associations, bye-laws etc. from Registrar of Firms, Registrar of Companies or Registrar of Societies, as the case may be.

1.22 **Standing Advisory Committee of Manufacturers/importers of Drugs & Medicines :**

Standing Advisory committee at the level of SPO will be framed which will consist of representatives of the best performing 5 (five) manufacturing/importing companies. The meeting of such advisory committee will be held to discuss policy matters regarding rate contract agreement, administrative and other financial policies and difficulties of Bidders/Suppliers (Manufacturers/importers). Concerned section officer will be the convener of the Advisory committee, Technical experts may also be invited to attend the meeting.

The meeting at SPO level will be attended by the regional President or the Secretary of the registered manufacturers/importers associations.

1.23 **Meeting with Bidders/Suppliers (Manufacturers/importers)/ Construction Agencies :**

To solve the difficulties and grievances of the Bidders/Suppliers (Manufacturers/importers) and half-yearly meetings at the SPO level should be held. Such meetings may be attended by all the desirous Bidders/Suppliers (Manufacturers/importers)s/representatives of the Manufacturers/Importers. Such meetings may also be held at the level of Director, if there is such demand from the Manufacturers/Importers and such meetings may be attended by the president and the Secretaries of the registered Bidders/Suppliers (Manufacturers/importers) association Manufacturers/Importers.

1.24 **De-enlistment of Bidders/Suppliers (Manufacturers/importers) :**

If an enlisted Bidders/Suppliers (Manufacturers/importers) desires to get himself de-listed from the approved list of Bidders/Suppliers (Manufacturers/importers)s, he shall apply to enlistment authority for de-listment and refund of security money. The security money shall be refunded after satisfying the enlisting authority himself that nothing is due against the Bidders/Suppliers (Manufacturers/importers).

1.25 **Review of Decisions :**

The orders issued by competent authority under these rules regarding banning, lack-listing, demotions, removal, suspension or debarring can be reviewed by next higher authority on receipt of review application from the Bidders/Suppliers (Manufacturers/importers)s.

**Civil Bidders/Suppliers (Manufacturers/importers)s**

**II.1 Classes of Bidders/Suppliers (Manufacturers/importers) :**

The Bidders/Suppliers (Manufacturers/importers) (Manufacturers/Importers) shall be enlisted in following five classes :

- (i) "AA" Class
- (ii) "A" Class.
- (iii) "B" Class.
- (iv) "C" Class
- (v) "D" Class

**II.2 Enlistment Authority and Jurisdiction of Rate contract/servicesing**

- (i) (a) "AA",A,B,C and D Class Bidders/Suppliers (Manufacturers/importers) shall be enlisted by the Director (Aids). If there are more than one Directors in any department, the Administrative department shall authorise one of the Director to enlist "AA" Class Bidders/Suppliers (Manufacturers/importers)s.
- (b) "AA", A,B,C and D Class Bidders/Suppliers (Manufacturer/importer)s shall be entitled to execute the rate contract/services through out Rajasthan in enlisting department with concessional earnest money. However, with depositing the full amount of earnest money as per rules in force, such Bidders/Suppliers (Manufacturers/importers) will be entitled to tender in any other Offices of the department throughout Rajasthan.

**II.3 Extent upto which qualified to tender :**

The Bidders/Suppliers (Manufacturers/importers) of various classes shall be qualified to tender upto the extent prescribed against each class as below :

S. No.	Class of Bidders/Suppliers (Manufacturers/importers)s	Extent upto which qualified to tender for any rate contract/services
1	2	3
1.	"AA" Class	Any amount (Above 1.00 crore)
2.	"A" Class	Upto Rs. 1.00 crores.
3.	"B" Class	Upto Rs. 50.00 Lac
4.	"C" Class	Upto Rs. 25.00 lac.
5.	"D" Class	Upto Rs. 10.00 lac.

**II.4 Registration (Enlistment) Fee and Security Deposit for enlistment :**

- (i) Bidders/Suppliers (Manufacturers/importers) (Manufacturers/importers)s desiring enlistment in any class shall pay Registration Fee (non-refundable) as mentioned in column 3 and Security Deposit as mentioned in column 4 of following table alongwith the application form.

S. No.	Class of Bidders/Suppliers (Manufacturers/importers)	Amount of Registration Fee in Treasury Challan/ Bank Demand Draft (Non-refundable)	Amount of Security Deposit in form of DD/ BC/BG of Nationalised/ Schedule Bank (A/c head shall be mentioned which Treasury challan is to be deposited)
1	2	3	4 (Rs. in lac)
1.	AA Class	Rs. 25,000.00	4.00
2.	A Class	Rs. 20,000.00	2.00
3.	B Class	Rs. 15,000.00	1.00
4.	C Class	Rs. 10,000.00	0.50
5.	D Class	Rs. 5,000.00	0.25

**II.5 Annual Turn Over :**

While applying for enlistment, the Bidders/Suppliers (Manufacturer/importer)s of all classes will be required to submit documents regarding annual turn over required for last three years, as shown in column 3 of the table given below against the concerned class.

S. No.	Class	Total turn-over for last 3 years	
1	2	3	
1.	AA Class	Rs. 10 crores	Note :- Enlisting authority may take into account previous experience turnover of a new firm.
2.	A Class	Rs. 5 crore	
3.	B Class	Rs. 3 crores	
4.	C Class	Rs. 2 crore	
5.	D Class	Rs. 1 crore	

Note :- The limit for SSI Unit of Rajasthan will be 50.00 Lacs & above.

**II.6 Organizational Set-up ;**

- (a) Bidders/Suppliers (Manufacturers/importers) enlisted in Class AA, A, B, C & D are required to employ technical staff, whenever they are required to execute rate contract/services, as under :-
1. For rate contract/services costing Pharma Graduate over Rs. 1 crore
  2. For rate contract/services between Pharma Diploma Holder Rs. 15 lac to Rs. 1 crore (Attested copies of degree/diploma to be attached)
- (b) A Bidders/Suppliers (Manufacturers/importers) desiring enlistment in Class AA, A and B should have a permanent Pharma Organisation capable of dealing with large rate contract/services. **They should have sufficient machinery and tools etc., at their disposal, for which they should submit details.** They should also submit, with their application, full details about their Pharma organisation qualification of such staff and experience, alongwith proof of ownership of the equipments.
- (c) Firms & Bidders/Suppliers (Manufacturers/importers) applying for enlistment falling under category AA, A & B will have an office capable of preparing and submitting bills regularly for rate contract/services done as provided for in the contract. The office should have sufficient technical personnel for preparing estimates and submitting lump sum tenders in an intelligent manner and for supervision of rate contract/services. List of such persons employed with requisite qualification and experience with their address, will be submitted alongwith the application.

**PERFORMANCE OF BIDDERS/SUPPLIERS  
(MANUFACTURER/ IMPORTERS)**

**(Applicable to all categories of Bidders/Suppliers (Manufacturers/importers))**

- III.1 The certificate regarding Rate contract/servicesmanship and quality of rate contract/services done by Bidders/Suppliers (Manufacturers/importers) shall be granted by the authority registering the Bidders/Suppliers (Manufacturers/importers)s. Department shall maintain a register showing the enlistment of various Bidders/Suppliers (Manufacturers/importers) under different classes. Whenever Bidders/Suppliers (Manufacturers/importers) are black-listed, removed, demoted or temporarily suspended from the Register of Bidders/Suppliers (Manufacturers/importers)s, remarks shall be made in the register against the Bidders/Suppliers (Manufacturers/importers) concerned and copy of order shall be sent to all Govt. Medical Institutions in the States.
- III.2 Registration of Bidders/Suppliers (Manufacturers/importers) shall be reviewed by Registering Authority after every two years on the basis of performance data to be supplied by the Bidders/Suppliers (Manufacturers/importers) himself and the department field officers. a Bidders/Suppliers (Manufacturers/importers) whose performance is found to be unsatisfactory shall be liable for cancellation of his name being struck off from the list of registered Bidders/Suppliers (Manufacturers/importers)s.
- III.3 A confidential Register of Bidders/Suppliers (Manufacturers/importers)s, in **Appendix (II)** shall be maintained in all Sections and the Register shall be kept in personal custody of the AAO concerned. The AAO concerned will himself write/remark in the register in his own hand writing. Instruction for maintenance of confidential register of Bidders/Suppliers (Manufacturers/importers) is as under:  
Separate register will be maintained for various classes of Bidders/Suppliers (Manufacturers/importers)s.
- (i) Name of sections should be written on over of register.
  - (ii) The index shall denote name of Bidders/Suppliers (Manufacturers/importers) and page.
  - (iii) All the pages shall be properly numbered. Certificate regarding total no. of pages in register should be given on 1<sup>st</sup> page.
  - (iv) A few pages shall be allotted to each Bidders/Suppliers (Manufacturers/importers) for continuous record. No. of pages allotted shall be mentioned in the index.
  - (v) The register shall be completed annually after 31<sup>st</sup> march and before 30<sup>th</sup> April and a copy of the same shall be forwarded to the registration authority.
  - (vi) The register should be checked and initialed by B. Pharma in the month of may. if any action is required to be against any Bidders/Suppliers (Manufacturers/importers), report should be prepared and sent to the competent authority who enlisted the Bidders/Suppliers (Manufacturers/importers).

**VII.4 CONFIDENTIAL REPORT OF BIDDERS/SUPPLIERS  
(MANUFACTURERS/IMPORTERS)S**



While writing confidential reports of Bidders/Suppliers (Manufacturers/importers) in the confidential register by the AAO concerned should record his remarks in detail as mentioned below:

- (a) Was rate contract/services done according to specification in all cases? if not, state cases of rate contract/services done below specification ?
- (b) Is he capable of carrying out rate contract/services without defects without frequent directions to him?
- (c) Any defects pointed out but not rectified.
- (d) Any penalty imposed for infringement of any condition of the Bidders/Suppliers (Manufacturers/importers)s.
- (e) Whether or not necessary technical staff has been employed by the Bidders/Suppliers (Manufacturers/importers) as per enlistment rules.
- (f) Is there any old recovery outstanding?
- (g) Is there any attachment order outstanding?
- (h) Whether fair wages have been paid to the labour ?
- (i) Whether labour regulations for protection of health & sanitary arrangements for rate contract/servicesers observed?
- (j) Whether there has been any dispute with labour ?
- (k) Whether the Bidders/Suppliers (Manufacturers/importers) is prompt in making payment to the labour, petty Bidders/Suppliers (Manufacturers/importers) and suppliers etc., complaints, if any, received in this behalf being enumerated.
- (l) Has he maintained reputation for integrity?  
Note: deal fully with such evidences as is available for inefficiency or corruption or other failings which impair his reputation. Any instance or corrupt practice should be specially stated.
- (m) Has he (Bidders/Suppliers (Manufacturers/importers)) been ever warned for slow process?
- (n) Has he completed the rate contract/services before the scheduled time? if not, had he adequate ground for delay..
- (o) Behaviors towards Department staff & labour CAO & SSPO remarks - is he fit for promotion to the next class? A copy of those points should be pasted (or written) in the beginning of the confidential register.

### **STANDARD CODE**

#### **Regarding demotion, removal & black listing/suspension and debarring**

IV.1 The following code is prescribed for demotion, removal, debarring/suspension of business and black listing etc. of the enlisted Bidders/Suppliers (Manufacturers/importers)s.

#### **IV.2 DEMOTION TO LOWER CLASS**

After giving show cause notice of 15 days and recording findings, the enlisting authority may demote a Bidders/Suppliers (Manufacturers/importers) to a lower class due to any of the following reasons :-

If the Bidders/Suppliers (Manufacturers/importers):

- (i) fails to execute contract or executes it unsatisfactory or is proved to be responsible for service deficiency revealed even after the expiry of the prescribed rate contract period,
- (ii) has no longer the adequate equipments, technical personnel or financial resources to execute service satisfactorily,
- (iii) violates any important condition of contracts(s) execute by him with any of the officer of state government,
- (iv) is responsible for any other matter, which may justify his demotion to a lower class taking into account the merits of the case.

### **IV.3 REMOVAL FROM THE REGISTER**

After giving show cause notice of 15 days and recording findings, the enlisting authority may remove the name of a Bidders/Suppliers (Manufacturers/importers) and de list him due to any of the following reasons :-

If the Bidders/Suppliers (Manufacturers/importers) :

- (i) Fails to execute contract or executes it unsatisfactory or is proved to be responsible for service deficiency revealed even after the expiry of the prescribed maintenance period,
- (ii) Has no longer the adequate equipments, technical personnel or financial resources to execute rate contract/services satisfactorily,
- (iii) Violates any important condition of contracts(s) execute by him with any of the officer of state government,
- (iv) Fails to secure any rate contract even after twelve successive tenders or during the period of two consecutive years, whichever is less,
- (v) Fails to furnish the required income Tax clearance certificate and/or sales tax clearance certificate as required under these rules,
- (vi) Fails to abide by any of the conditions of enlistment under these rules or is found to have given false particulars at the time of enlistment..
- (vii) Is declared or is in the process of being declared bankrupt, insolvent, wound up, and dissolved.
- (viii) If his enlistment security falls short due to adjusting any recovery under these rules.
- (ix) Persistently violates the provisions of labour rules and regulations.

### **IV.4 BLACK LISTING**

After giving show cause notice of 15 days and recording findings, the enlisting authority with approval of the next higher authority may blacklist a Bidders/Suppliers (Manufacturers/importers) due to any of the following reasons :-

- (i) There are sufficient and strong reasons to believe that the Bidders/Suppliers (Manufacturers/importers) or his employee has been guilty of malpractices such as bribery, corruption, fraud, vitiating fair under process including substitution of or interpolation in tenders, pilfering or unauthorized use or disposal use of govt. materials.

- (ii) The Bidders/Suppliers (Manufacturers/importers) continuously refuse to pay Govt. dues without showing adequate reasons.
- (iii) Where a Bidders/Suppliers (Manufacturers/importers) or his partner or his representative has been convicted by a court of law for offences involving moral turpitude in relation to the business dealings or where security considerations including suspected disloyalty to the state so warrant.
- (iv) If the Bidders/Suppliers (Manufacturers/importers) or his partner or his employee is found guilty of misbehavior with any of the officials of the state government connected with the execution of rate contract/services directly or indirectly.

**Note – 1** If a Bidders/Suppliers (Manufacturers/importers) after having tendered for a rate contract/services or after negotiations gives applications voluntarily vitiating the fair tendering process. it shall also tantamount to malpractice.

**Note –2** A register containing the reasons for blacklisting the Bidders/Suppliers (Manufacturers/importers) as also the names of all the partners of the Bidders/Suppliers (Manufacturers/importers) and the allied concerns coming within the effective influence of the black listed Bidders/Suppliers (Manufacturers/importers) will be maintained.

**Note –3** A register of black listed Bidders/Suppliers (Manufacturers/importers) will be maintained in **Appendix(III)** which will not only include Bidders/Suppliers (Manufacturer/importer)s enlisted with the authority but also black listed Bidders/Suppliers (Manufacturers/importers) of Medical Department. It means Director Medical & Health services in Raj.

**Note –4** A black listed Bidders/Suppliers (Manufacturers/importers) (i) shall not be entitled for enlistment in any wing of Medical Directorate, (ii) shall not be awarded any rate contract/Services rate contract/services in future, (iii) his enlistment shall stand cancelled immediately and his enlistment security shall stand forfeited..

#### **IV.5 DEBARRING/SUSPENSION**

After giving notice and recording reasons the enlisting authority may debar/suspend the enlistment of the Bidders/Suppliers (Manufacturers/importers) due to following reasons :

- (1) If a Bidders/Suppliers (Manufacturers/importers) does not execute agreement or deposits security money or does not comply the rate contract/services or complete the rate contract/services after sanction of the tender, the Bidders/Suppliers (Manufacturers/importers) is liable to be debarred or suspended from participating in re-tendering of that

- rate contract/services or in future tenders and his enlistment may be suspended.
- (2) If a enlisted Bidders/Suppliers (Manufacturers/importers), after having tendered for a rate contract/services or after negotiations gives unauthorized applications voluntarily vitiating the fair tendering process. He is liable to be debarred in participating in that tender or in future tenders and his enlistment may be suspended.
  - (3) If a registered Bidders/Suppliers (Manufacturers/importers) being non-tendered for a rate contract/services vitiates fair tendering process by submitting application giving his offer after receipt/opening of tenders received after due process his enlistment is liable to be suspended/he is liable to be debarred.

#### **IV.6 REVIEW OF APPROVED LIST OF BIDDERS/SUPPLIERS (MANUFACTURERS/IMPORTERS)S**

Enlistment of Bidders/Suppliers (Manufacturers/importers) shall be reviewed by enlisting authority after every two years on the basis of performance of the Bidders/Suppliers (Manufacturers/importers). The Bidders/Suppliers (Manufacturer/importer) whose performance is found unsatisfactory or does not comply provisions of enlistment rules, his enlistment shall be liable for cancellation and his name being struck off from the list of registered Bidders/Suppliers (Manufacturers/importers).

**Appendix (I)**

**Performa of Application**

**For Enlistment of Bidders/Suppliers (Manufacturers/importers) for D&M/E&I**

1. Name of the applicant, his present Nationality and full address
2. Whether the firm is a private or Public Ltd. concern or undivided. Hindu family. Individual or a registered partnership firm (Attested copies of Deeds of Articles or Associations to be enclosed).
3. Name of person holding the power of attorney and his present Nationality with their liabilities, (Attested copy of partnership deed to be enclosed)
4. Name of partners, their present nationality with their liabilities (Attested copy of the partnership deed to be enclosed).
5. Name of the bankers and full address:

Note: The bankers report in original preferably, in sealed cover, giving his/their financial capacity to handle rate contract/services of the required magnitude should be enclosed.

6. Place of business :
7. Class and category on which enlistment is sought,
8. List of rate contract/services executed.
  - (i) Name of rate contract/services to be shown in a separate statement
  - (ii) Year of rate contract/services
  - (iii) Amount
  - (iv) Authority under which carried out

Note: for rate contract/services done in departments other than Medical Department, Directorate of Medical & Health Services Rajasthan original or attested Copies of certificates from officers under whom rate contract/services were carried out should be enclosed. if it is not possible to obtain such certificates, the applicant should clearly indicate this.

9. Section for which the Bidders/Suppliers (Manufacturers/importers) wants to submit tenders as per rate bid contract/services.
10. Whether the applicant has a permanent Pharma Organization capable of dealing with large supplies rate contract/services in all their stages and has sufficient machinery and tools etc.
11. Whether the applicant has any office-in-charge or a Pharma Graduate as per rules.

12. Whether the applicant has manufacturing license (**enclosed the attested copy**):-
  - a) In case having manufacturing license - mention the number of license.
  - b) Validity of manufacturing license.
  - c) if renewal is available.
  - d) Validity of renewal.
  - e) Number of renewal.
  - f) Authority issuing manufacturing license
13. Whether applicant has import license (**enclosed the attested copy**) :-
  - a) Import license Number.
  - b) Validity of import license up to.
  - c) Authority by whom the import license issued.
14. Whether the applicant has GMP certificate (**enclosed the attested copy**) :-
  - a) Validity of GMP certificate.
  - b) Issuing authority.
15. Whether the applicant has product permission for the items for which he wants to bid (**enclosed the attested copy**) :-
  - a) Number and date of product permission
  - b) Name of issuing authority.
16. Whether the applicant has non convection certificate (**enclosed the attested copy**) :-
  - a) Number and date of non convection certificate.
  - b) Name of issuing authority.
17. Whether the applicant spurious drug certificate declaration on Rs. 100/- Non Judicial stamp paper.
18. Whether the applicant is already enlisted in -
  - (i) This department if so, in which class and category.
  - (ii) Whether enlisted with any other department. if so, in which department
19. Whether the applicant is a share-holder or partner of any firm enlisted in this department.
20. Has the applicant or any of his partner or share-holders been black-listed or removed from the approved list of Bidders/Suppliers (Manufacturers/importers) or demoted to lower class or orders passed banning/suspending business with the applicant etc. by any department in the past.

21. Whether the Bidders/Suppliers (Manufacturers/importers) has read the rules for enlistment of Bidders/Suppliers (Manufacturers/importers) and is prepared to abide by them ?

I/We certify that I/We will not get myself/ourselves registered as Bidders/Suppliers (Manufacturers/importers)(s) in the department under more than one name.

Dated :

Signature of the Applicant  
and Address

Note All relevant certificates and documents enclosures affidavit declaration are to be enclosed attested by competent authority wherever necessary.

**DRAFT**

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