



# JAMMU AND KASHMIR MEDICAL SUPPLIES CORPORATION LTD.

(Public Sector Undertaking of Govt of Jammu & Kashmir)

Corporate Head Office: 1<sup>ST</sup> Floor, Drug Store Building, Govt. Medical College, Bakshi Nagar, Jammu

(At Present Plot No. 58, Friends Colony, Satyam Road, Trikuta Nagar, Jammu).

Corporate Office Kashmir: Bemina, Srinagar, Near Hajj House, Opposite State Motor Garages.

Telephone: 0191-2580842, Fax: 0191-2581845 (Jammu)

**Minutes of 5<sup>th</sup> Meeting of Board of Directors of Jammu & Kashmir Medical Supplies Corporation Limited (JKMSCL) held under the Chairmanship of Financial Commissioner, Health & Medical Education Department on 30<sup>th</sup> May, 2019 at 3.00PM at Banquet Hall, Polo View, Srinagar.**

## Present:

1.	Sh. Atal Dulloo, IAS Financial Commissioner, Health & Medical Education Department.	In-Chair
2.	Dr. Kaiser Ahmad, Principal, Government Medical College, Srinagar	Director
3.	Dr. Sunanda Raina, Principal, Government Medical College, Jammu	Director
4.	Dr. Romesh Singh, Principal, Government Dental College, Jammu.	Director
5.	Dr. Riyaz Farooq Shah, Principal, Government Dental College, Srinagar.	Director
6.	Sh. Bhupinder Kumar IAS Mission Director, NHM	Director
7.	Dr. Phuntsog Angchuk, Director, Indian System of Medicines, J&K.	Director
8.	Dr. Kunzes Dolma Director, Health Services, Kashmir.	Director
9.	Dr. Arun Sharma, Director, Family Welfare, MCH Immunization, J&K.	Director
10.	Ms Lotika Khajuria, Controller Drug & Food Control Organization, J&K	Director
11.	Sh. Shiv Kumar Gupta, KAS Managing Director, JKMSCL	Director (Member Secretary)
12.	Sh. Javaid Iqbal Mattoo, Director, Planning Development & Monitoring Department.	Representative of Principal Secretary to Government, Planning Development & Monitoring Department.
13.	Sh. Javeed Maqbool Khanday, Deputy Director, Budget, Finance Department.	Representative of Financial Commissioner, Finance Department.

**In attendance:**

- i. Sh. Umar Khan, Financial Advisor/CAO, J&K Medical Supplies Corporation Limited.
- ii. Dr. Mohammad Iqbal Sofi, General Manager (P&S), J&K Medical Supplies Corporation Limited.

**In absence:**

- i. Sh. Sameer Mattoo, Director Health Services, Jammu.

**Item No.05.01 Approval of Minutes.**

The Board passed the following resolution:

"Resolved that the Minutes of 4<sup>th</sup> Meeting of Board of Directors of JKMSCL are hereby confirmed".

**Item No.05.02 Follow up action.**

Action Taken Report on the decisions of 4<sup>th</sup> Board Meeting held on 25 October, 2018 was noted by the Board.

**Item No.05.03 To consider and approve the financial statements of JKMSCL for the year 2017-18.**

- Board passed the following resolution:

"Resolved that the Financial Statement of JKMSCL for the year 2017-18 be and is hereby approved".

**Item No.05.04 To consider and approve the Revised Budget Estimates of JKMSCL for the year 2018-19 and Budget Estimates for the year 2019-20.**

Board passed the following resolutions:

"Resolved that the Revised Budget Estimates of JKMSCL for the year 2018-19, amounting to Rs.583.29 lacs be and are hereby approved".

"Resolved further that the Budget Estimates of JKMSCL for the year 2019-20, amounting to Rs.862.5 lacs be and are hereby approved".

**Item No.05.05      Dispensing away with Registration.**

Board passed the following resolution:

"Resolved that the decision of the Finance Committee to dispense away with registration of prospective bidders with regard to participation in the e-NIT's published by JKMSCL along with necessary amendment in the SPP be and is hereby approved".

**Item No.05.06      Dispensing Away with Publication of e-NIT in Print Media.**

Board passed the following resolution:

"Resolved that the decision of the Finance Committee with regard to dispensing away with publication of e-NIT in Print Media by JKMSCL along with necessary amendment in the SPP be and is hereby approved."

**Item No.05.07      Engagement of Two Bio-Medical Engineers as per the terms and conditions of TNMSCL.**

Board passed the following resolution:

"Resolved that the decision of the Finance Committee with regard to Engagement of Two Bio-Medical Engineers as per the terms and conditions of Tamil Nadu Medical Services Corporation Limited (TNMSCL) by JKMSCL be and is hereby approved".

**Item No.05.08      Relaxation in the eligibility criteria of SBD/NIT of JKMSCL for Local SSI Units with regard to Annual Turnover.**

Board passed the following resolution:

"Resolved that the proposal of the JKMSCL with regard to implementation of Govt. Order No. 180-IND of 2018 - Dated 11.07.2018 for fresh NIT's/NIT's in progress in case of Dressing Material /Disposables /Instruments /Furniture be and is hereby approved."

**Item No.05.09 Procurement of items on Single Bid..**

Boardpassed the following resolution:

"Resolved that the decision of the Purchase Committee of JKMSCL to finalise the 114 Number of contracts on single bid basis after ascertaining the reasonability of rates be and is hereby approved."

**Item No.05.10 Ratification of the approval accorded by Chairman, JKMSCL to various proposals of MD, JKMSCL**

Board passed the following resolution:

"Resolved that the approval of the Chairman, JKMSCL with regard to proposed amendments by MD, JKMSCL pertaining to various terms and conditions of the NIT/SPP be and is hereby approved."

"Resolved that the approval of Chairman, JKMSCL with regard to amendments in NIT/SPP pertaining to doing away with Cyan Blue Colour be and is hereby approved."

"Resolved that the approval of the Chairman with regard to the inclusion of the Director Finance as Member of

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Purchase Committee of JKMSCL be and is hereby approved."

"Resolved that approval of the Chairman, JKMSCL with regard to the issuance of revalidation order of the rate contract issued on 24.10.2016 vide No. JKMSCL /MD /PS /2016/4623-43 Dated 19.10.2016 and Order No. 109-JKMSCL of 2017 dated 20.11.2017 for a period of 03 months from the date of issuance of revalidation order be and is hereby ratified"

"Resolved that the approval of Chairman, JKMSCL with regard to the procurement of Specular Microscope for the establishment and operationalization of Eye Bank at GMC Jammu in relaxation to the laid down procedure in the SPP manual of JKMSCL be and is hereby approved".

Resolved further that approval accorded by Chairman, JKMSCL to authorize MD, JKMSCL to proceed ahead with the finalization of other contracts on the analogy of powers delegated to MD, JKMSCL for Drugs & Machinery & Equipments be and is hereby ratified.

However, The Chairman JKMSCL pointed out that it does not seem rational to compare the functioning of JKMSCL which deals in bulk procurement of Drugs and Machinery/Equipment for all the Govt. Health Institutions of the State and therefore entails finalisation of substantial number of contracts with that of M/s JKPCC

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and M/s JKSPDC who although are associated with finalisation of contracts of high value are not at par with JKMSCL specially with regard to nature and volume of contracts to be finalised

The Board suggested that:

MD, JKMSCL should undertake an in-depth study of different Medical Supplies Corporations of the country with regard to the prescribed powers of Managing Directors to award of contracts and furnish a revised proposal in this regard to the Board through Finance Committee of JKMSCL

**Item No.05.11 Acceptance and release of Meagre Quantity of Drugs on the basis of in-house lab reports from NABL Certified Laboratories.**

Board passed the following resolution:

“Resolved that the Board approved the proposal of the MD, JKMSCL pertaining to amendments in NIT/SPP with regard to acceptance and release of Meagre Quantity for Drugs by JKMSCL on the basis in-house lab report from NABL certified laboratory after routing all such cases through Controller, Drug & Food Control Organisation, J&K be and is hereby approved.”

**Item No.05.12 Engagement of eight (08) retired Non-gazetted officials.**

Board passed the following resolution:

"Resolved that the proposal of JKMSCL for hiring the services of 04 personnel having qualification of Master Degree in Business Administration from any recognized university/ institute with work experience instead of engaging 04 retired non-gazetted officials is hereby approved with the following modifications:

- (i) The work experience shall be 8-10 years instead of two years
- (ii) The services of the 04 personnel shall be hired from the outsourcing agency engaged by TNMSCL.
- (iii) Preference to the locals shall be given during the hiring."

- Item No. 05.13.**
- (i). Expediting procurement of Drugs/Machinery/ Equipment by modifying the laid down procedure of JKMSCL in case of No response to the NIT.**
  - (ii). Inclusion of Rate Contracts of other Medical Supplies Corporations of the Country for finalisation of contracts of JKMSCL in case of no response to the NIT.**

Board passed the following resolution:

"Resolved that the proposal of JKMSCL that in case of No response to the NIT, if an urgency is expressed by the end user i.e. concerned HoD of the Health and Medical Education Department that in the interest of patient care, further delay cannot be afforded, JKMSCL may be authorised to procure said items on the rate contract of other Organizations in the first instance only without going for retendering/extension of the tender be and is hereby approved"

"Further Resolved that the proposal of JKMSCL for inclusion of Rate Contracts of other Medical Supplies Corporations and all other Premier Institutions of the

Country for finalisation of contracts of JKMSCL in case of no response to the NIT by incorporating necessary amendment in the SPP be and is hereby approved.”

**Item No.05.14 Engagement of Retainer Consultant by JKMSCL.**

Board passed the following resolution:

“Resolved that the draft /proposed Retainer Consultant Policy of JKMSCL is approved.

Further resolved that MD, JKMSCL is authorized to engage one Retainer Consultant as per the approved policy and terms of engagement”.

**Item No.05.15 Waiving off of Penalty charges on delayed supplies for Financial Year 2018-19 and Amendment in the Standard Penalty Clause.**

Board passed the following resolution:

- i. Henceforth in partial modification to the Penalty Clause of SPP of JKMSCL, penalty shall be imposed @ 0.25% per day for every day of delay subject to maximum 10%. Rest of the terms and conditions of SPP with regard to penalty clause shall remained unchanged.
- ii. Penalty shall not be imposed if a claim with regard to any supply i.e. (Drug/Equipment) is complete in all respects i.e. QC verified/Board verified etc is not cleared by JKMSCL within a period of 60 days.
- iii. In partial modification to the payment clause minimum quantity to be eligible for payment shall be 70% of the total ordered quantity instead of 60%.



**Item No.05.16 Acceptance of Trade Name without Artwork.**

Board passed the following resolution:

"Resolved that the proposal of JKMSCL to accept the supplies of imported drugs procured by JKMSCL with tamper proof sticker as an exception to the approved art work be and is hereby approved."

**Item No.05.17 Acceptance of Meagre Quantity of drugs.**

Board passed the following resolution:

"Resolved that the proposal of JKMSCL to allow and accept meagre quantity of drugs where the demand is less than 50% of the batch size or below 10,000 (whichever is less) be and is hereby approved."

**Item No.05.18 Exemption from re testing by JKMSCL in case of vaccines and serums have Quality Certification from NIB/CRI Kasoli.**

Board passed the following resolution:

"Resolved that the proposal of JKMSCL to allow and accept vaccines and serums on the analytical lab report provided by manufacturer from CRI Kasoli /NIB along with the supplies be and is hereby approved."

**Item No.05.19 Procurement from GeM by JKMSCL in case of singular demand.**

Board passed the following resolution:

"Resolved that the proposal of JKMSCL with regard to procurement from GeM in case of singular demand after customizing the same as per the standard procurement terms and conditions of JKMSCL be and is hereby approved."

Further resolved that where the rate contract to JKMSCL could not be finalized, or procurement as per prescribed procedures is not feasible, purchase through GeM may also be explored with modified terms and conditions like 5 years warranty of the product.

**Item No.05.20 Acceptance of quality certification by in house labs in case of drugs where requisite testing facilities are not available within India viz Haemophilia Factor VII and other Drugs, if any**

Board passed the following resolution:

"Resolved that the proposal of JKMSCL with regard to acceptance of quality certification by in house labs in case of drugs where requisite testing facilities are not available within the Country be and is hereby approved."

**Item No.05.21 Provision of Viability Gap Funding/Plan Assistance by the Government**

Board passed the following resolution:

"Resolved that as already decided by the Finance Committee, JKMSCL shall furnish a comprehensive proposal to the Finance/ Planning Monitoring and Development Department through Chairman JKMSCL for up-front funding with regard to priority construction works to be undertaken by JKMSCL be and is hereby approved".

**Item No.05.22 Extension of DVDMS Application.**

Board passed the following resolution:

" Resolved that the agreement between JKMSCL and M/s C-DAC for specified components of DVDMS be extended

for a period of one year i.e.01.04.2019 to 31.03.2020 costing to Rs 52.00 lacs as per mutually agreed terms and conditions.

"Resolved that the liability of Financial Year 2017-18 amounting to Rs. 95.22 lacs and liability of 2018-19 amounting to Rs. 62.18 lacs duly projected by JKMSCL to NHM with regard to implementation of DVDMS for incorporation in the Annual SPIP of NHM be and is hereby approved."

However the justification of the projection as sought by NHM may be again submitted by JKMSCL for facilitating its release by NHM.

**Item No.05.23 Detail of all NIT's finalised for information of Board since Nov 18.**

Board passed the following resolution:

"Board took note of the information provided by MD, JKMSCL with regard to NIT's finalised since November 2018."

After the conclusion of the Agenda put forth by JKMSCL and the consequent resolution, the Chair further desired and directed that:

1. MD, JKMSCL should convene regular meetings with all the HoD's of Health and Medical Education Department and should formulate the timelines of finalisation of tenders as per the priority of the concerned HoD's.
2. Reconciliation of accounts between JKMSCL and all other HoD's should be completed in a time bound manner after which MD,JKMSCL may convene meeting with each HoD to plan procurement of Drugs & Machinery/Equipment on their behalf as per the available funds arrived at after reconciliation.

3. The DVDMS software shall be utilised by the end user Departments and their Nodal Officers. The annual demand of drugs shall be submitted online before 31<sup>st</sup> December every year, Review of the performance of end user/ Nodal Officers shall be taken by the Chair for which MD, NHM shall take necessary action.
4. The Drug injection Halothine and injection Carboplast shall be lifted by Principal GMC Srinagar & Principal JVC Bemina, Srinagar without further delay. The non-lifting of these drugs was viewed seriously by the Chair.

**The meeting ended with vote of thanks to the Chair.**

**Sd/-**  
Chairman,  
Board of Directors,  
J&K Medical Supplies Corporation Ltd.

**No: PS/MD/JKMSCL/2019/ 157-70**

**Dated:-12.06.2019**

Copy for information to the: -

1. Financial Commissioner, Finance Department, Civil Secretariat, Srinagar (Director, Board of Directors - JKMSCL).
2. Financial Commissioner, Health & Medical Education Department, Srinagar (Chairman, Board of Directors - JKMSCL).
3. Principal Secretary to Government, Planning, Development & Monitoring Department (Director, Board of Directors - JKMSCL).
4. Principal, Government Medical College, Jammu (Director, Board of Directors - JKMSCL).
5. Principal, Government Medical College, Kashmir (Director, Board of Directors - JKMSCL).
6. Principal, Government Dental College, Jammu (Director, Board of Directors - JKMSCL).
7. Principal, Government Dental College, Srinagar (Director, Board of Directors - JKMSCL).
8. Director, Indian System of Medicines, J&K (Director, Board of Directors - JKMSCL).
9. Mission Director, NHM, J&K (Director, Board of Directors- JKMSCL).
10. Director, Health Services, Jammu (Director, Board of Directors - JKMSCL).
11. Director, Health Services, Kashmir (Director, Board of Directors- JKMSCL).
12. Director, Family Welfare, MCH & Immunization, J&K (Director, Board of Directors- JKMSCL).
13. Controller, Drug & Food Control Organization, J&K (Director, Board of Directors - JKMSCL).
14. O.S.D. to Advisor (K) to Hon'ble Governor, J&K State for kind information of Advisor (K).
15. Office Copy.

  
**Managing Director,** 22/6/19  
J&K Medical Supplies Corporation Ltd.