



कर्मचारी राज्य बीमा निगम
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)
EMPLOYEES' STATE INSURANCE CORPORATION
(Ministry of Labour & Employment, Govt. of India)



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To

Dean/Medical Superintendents PGIMSR's/MC/Hospital

Regional Directors, SMO's ESIC

DIMS, ESIS All Sates/UT's

Sub: Non-submission of consolidated quarterly non-supply/late supply report and Risk Purchase deduction by ESI Institutions -reg.

Ref: Published DGESIC Central Rate Contract Nos. 142C-146C and 147B, 149-153,154-158,159-164.

As you are aware that as per terms and conditions of DG ESIC Central Rate Contract, instances of Non-supply and quantum of risk purchase invoked on DG ESIC approved pharmaceutical firms are to be deducted from defaulting firms and to be reported to ESIC Hqrs quarterly as a consolidated quarterly report in the proforma with the comments of Chief DDOs as reproduced below:

R.C No.	Item No. & Name of Drug	Name of the Firm	S.O No. with Date	Preference (L1/L2/L3)	Qty. Not supplied	Risk Purchase/ Penalty levied	Payment if pending	Remarks

It is informed that as per terms and conditions of DG ESIC Central Rate Contract under heading Delivery Period - Risk Purchase following is mentioned below:

- Delivery period will be of six weeks from the date of issuance of purchase order via email and the approved Pharmaceutical firm shall execute the order within stipulated time.
- If the approved Pharmaceutical firm fails to execute the supply order within the stipulated period of six weeks, a penalty of two (2) percent of the value of the order calculated at the contract rate per week or a part of a week will be levied. The maximum penalty for late supply shall not exceed 10% of the total value of the order/orders. An approved Pharmaceutical firm can seek extension of the delivery period with the prior consent of the Direct Demanding Officers, if it is not in a position to execute the order in time. Such extension is permissible for a maximum period of 5 weeks only but penalty will be levied.
- In case of failure to supply, the Corporation reserves the right to purchase the stocks from other sources as risk purchase, i.e. purchase from any other approved Pharmaceutical firm or firms, in the rate contract or from outside the contract at the discretion of the Direct Demanding Officer concerned at a competitive rate or from local**

chemist. All DDOs of ESIC & ESIS institutions shall record each instance of Non-Supply of respective approved Pharmaceutical Firm and a consolidated quarterly non-supply report to be submitted at ESIC HQRS.

- d. i) If the items/ drugs are not supplied by the schedule date (as indicated above or by the extended date) full or in part, the order in respect of the quantity not supplied is liable to be cancelled at the risk and expense of approved Pharmaceutical firm. The extra expenditure involved in procuring supplies from elsewhere i.e. L2 firm/other running Govt. Contract/ local Purchase etc. will be recoverable from the approved Pharmaceutical firm, in full at discretion of Direct Demanding Officers.
- ii) The recoveries thus due will be deducted from any sum payable by the Direct Demanding Officer or which at any time thereafter may become payable under this contract or any other contract placed with bidder by the Direct Demanding Officers. He will be deemed to be exercising the powers of Director General, ESI Corporation in case any such contingency arises. Apart from risk purchase action, the bidder's Performance security deposit may be forfeited and shall invite other penal action like debarring from participating in ESI Corporation Rate Contract present and future for a period of not less than two years.
- e. If the approved Pharmaceutical firm fails to execute the supply order three times at any location of ESIC & ESIS in any part of the country during the period of rate contract, it shall be debarred for the next two years with effect from the last failure and forfeiting of Performance Security for that drug.

Further it is also informed that:

- i. Items where rates of more than one firm have been approved, order should be placed to the firm at First Preference and whose rates are the lowest. **In case of non-supply by such firm**, order shall be placed to the firm with the next higher approved rate invoking risk purchase.
- ii. The Chief DDOs shall monitor the performance of Rate Contract holding firms in regard to their execution of supply orders in time. He shall send a consolidated quarterly report alongwith its comment and details.

In this context, it is informed that various ESI Institutions have not reported/submitted consolidated quarterly non-supply/late supply report and quantum of Risk Purchase deduction/pending deduction details to Rate Contract Cell as per terms and conditions of respective DG ESIC Central Rate Contracts, which is viewed very seriously by ESIC Hqrs.

All Deans/MSs of ESIC/ESIS Institutions /DIMS All States are therefore directed to submit the Rate Contract wise consolidated quarterly non-supply report (from Oct 2021 to quarter ending 30.06.2025) in the proforma mentioned above to the undersigned through e-mail (dmc-rc.hqrs@esic.gov.in) **both in excel and pdf format latest by 15.09.2025.**

This issues with the approval of Competent Authority.

This is for your kind information and mandatory compliance.

Digitally signed by
Sanjiv Kochhar

उप-निदेशा आदेश (एन सी विदा/प्रापण)
Date: 04-09-2025
16:00:53