

Abstract

Stores purchase - Non-supply of lifting and pulling machines to Fire Force Department by M/s Goodwill Enterprises, Kochi - Blacklisting of the firm - orders issued.

SCRES PURCHASE (B) DEPARTMENT

G.O.(Rt)5/2002/SPD. Dated, Thiruvananthapuram 28.01.2002.

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- Read: -1. Supply order No.B1.5329/95 dated 23.9.96 from the Fire Force Department to M/s. Goodwill Enterprises, Kochi.
2. Letter No.06/52 dated 2.5.96 and 9.8.96 from M/s. Goodwill Enterprises, Kochi.
3. Letter No.F1.5329/95 dated 30.6.98 from the Commandant General, Fire Force.
4. Showcause notice No.3681/E3/98/SPD dated 12.11.98.
5. Explanation dated Nil
6. Letter No.F1.5329/95 dated 4.9.01 from the Commandant General, Home Guards Civil Defence and Fire Service, Thiruvananthapuram..

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O R D E R

The Commandant General, Home Guards Civil Defence and Fire Services entered into a contact with Goodwill Enterprises, Kochi for the supply of 24 Nos. of Tirfor T 35 lifting and pulling machines at a total cost of Rs.727248/-. Soon after the receipt of the supply order the firm has requested to make an amendment to enable them to supply either Tirfor T 35 or Maxpull No.30. The Department has chosen Tirfor Brand only on the basis of the tender specification. The delivery period of articles fixed in the supply order was 2 months. Hence the articles should have been supplied on or before 13.6.96. On request of the firm the delivery period was further extended upto 30.8.96.

Eventhough it was clearly mentioned in the supply order that the Department needed only TIRFOR brand machines, they insisted to include MAX pull machine and approached the Department for partial supply and insisted payment against each

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supply. There was always a negative attitude on the part of the firm.

The Technical Director had made a visit to Goodwill Enterprises, Kochi to assess the capability of the firm for the supply of pulling and lifting machines as per tender specification. But Tirfor Brand T.35 machine was not readily available there. Only Maxpull Brand machine was available there in the firm.

The Department has repeatedly requested to supply the articles. Then the firm raised another condition stating that they can supply the articles only on three or four lots and requested partial payment. This was not acceptable to the Department since it was against the rules. The payment can be made only after items are verified, checked for quality and taken into the stock of the Department.

So it was presumed that the firm was not at all capable of supplying 24 machines required in a single lot. Hence the Departmental purchase committee held on 12.11.96 considered the matter in detail and went for retender at the risk and cost of M/s. Goodwill Enterprises, Kochi. The firm has clearly violated the terms and conditions of the contract and failed to supply the articles ordered for. This has caused much inconvenience and financial loss to the Fire Force Department.

The above action of the firms is highly irregular which warrants deterrent action against them. As there is a breach of contract on the part of the firm, Government issued a show-cause notice to the firm as per the 4th paper read above, to showcause, if any, within 15 days from the date of receipt of the notice why penal action should not be taken against the firm for the alleged breach of contract. The explanations furnished are not satisfactory. The Commandant General Home Guards Civil Defence and Fire Forces and Home Department have recommended for the blacklisting of the firm, M/s. Goodwill Enterprises, Kochi, for their above irregular action.

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Government have examined the matter in detail with connected records and in exercise of the powers conferred under para 95 of Stores Purchase Manual they decided to Blacklist the firm M/s. Goodwill Enterprises, Muslim Street, Ernakulam, Cochi 682 035, for a period of 3 years from the date of this order during which period Government Departments, Statutory Bodies, Corporations, Autonomous bodies, Public Sector undertakings under Government of Kerala will not enter into or involve any business dealings with the aforesaid firms or its proprietors and they order accordingly.

By Order of the Governor.

K. Gopa Kumar
Joint Secretary.

To

All Heads of Departments.

//true copy/

Forest Headquarters,
Thiruvananthapuram,
Dated: 17..06..2002.

Endorsement on P3.18189/2002

Copy forwarded to all Conservator of Forests and Divisional Forest Officers for information and attention.

Copy to stock file.

Kamalam V

for Chief Conservator of Forests
(Development)

s.s.19.6

