

The suggestions provided by General Manager Supply chain in the draft have been incorporated and the revised draft is as follows-

Relevant definitions requisite for the Grievance Redressed Mechanism are following:-

- (1) **Applicant**: A person (as defined U/s 2(23) of the Income Tax Act, 1961 who is a bidder/prospective bidder, Firm etc. who is aggrieved by any decision, action or omission of the guidelines issued by the competent authority or any changes made thereon from time to time.
- (2) **Bid**: Bid means an offer made in pursuance of an invitation by a procuring entity and includes any tender, proposal or quotation.
- (3) **Bid security/Earnest Money Deposit (EMD)**: Means any security deposit provided to the procuring entity by the bidders to ensure securing the fulfillment of any obligation in terms of the provisions of the bidding document.
- (4) **Bidder**: Bidder means any legal entity participating in the procurement process with the procuring entity.
- (5) **Competent Authority**: A competent authority is any person who has been legally delegated authority, capacity or power to perform a designated function.
- (6) **Grievance**: Grievance refers a written and signed representation received from Firm/Party/others, seeking reply or resolution. The grievances with respect to ongoing tenders will not be entertained, since provisions (like Pre- bid meeting written representation etc.) are already available for ongoing tenders.
- (7) **Grievance Redressed Committee**: It is a group constituted of UPMSCL officials who will review the grievance received from the parties and decide the matter according to prevailing applicable provisions.

## 1. Authorities to handle grievances

- 1.1 Grievance Redressal Officer will be the Nodal Officer for handling and managing the grievances received in UPMSCL office.
- 1.2 If grievance arises between UPMSCL and applicant the application, if found prima facie suitable for redressal by the Nodal officer the application will be referred to the Grievance Redressal Officer and thereafter to Grievance Redressal Committee constituted through Grievance Redressal Officer/Nodal Officer

The Grievance Redressed Committee (GRC) will consist of following members:-

- (1) Additional Managing Director, UPMSCL- Chairman
- (2) Finance Controller, UPMSCL
- (3) Consultant Drug/Equipment, UPMSCL
- (4) Concern General Manager(s), UPMSCL

- 1.3 After examining the application and the available relevant documents, Grievance Redressal Officer/Nodal Officer will decide whether it is to be accepted or rejected. If rejected, applicant will be informed accordingly with valid reason for rejection. On the other hand if accepted, it will be forwarded to the concerning section OR Grievance Redressal Committee (if required) for timely disposal.
- 1.4 If the applicant doesn't agree with the decision an appeal can be filed before MD, UPMSCL the appellate authority

## **Grievance Redressal Process or Mechanism (Disposal of Application)**

### **Level—I**

- 2.1 If a grievance application is received, it will be forwarded to Grievance Redressal Officer through Managing Director/Additional Managing Director, UPMSCL. The Grievance Redressal Officer/Nodal Officer will examine/screen the relevant documents and application and if found satisfactory, the application will be forwarded to concerned department at the earliest, Grievance Redressed Officer/Nodal Officer will also acknowledge the receipt of the Grievance application to the aggrieved party within 48 hours from the time of receipt of the grievance (Excluding Holidays).
- 2.2 On receipt of Grievance application, the concerned sectional head or in-charge on duty will look into the grievance application given by the aggrieved party and record his views/comments. The section head while framing up recommendations, can seek the views of other relevant departments like finance, Legal or any other department concerned with the issue. Within 10 working days, reply or comments/views/requisite response from the concerned section will be provided to the Grievance Redressal Officer after taking approval on response from Managing Director, UPMSCL.
- 2.3 Thereafter, the Grievance Redressal Officer will inform the same to the applicant. In case of no reply within 10 days from concern department OR if dissatisfied with comments/views/ response from concerned section, a Grievance Redressal Committee (GRC) meeting will be called by Grievance Redressal Officer/Nodal Officer to resolve the grievance. All concern section heads will be called in the committee meeting chaired by Additional Managing Director. Grievance Redressed Committee will examine the case, call for relevant records/documents from concern departments and will take decision on the grievance application within 5 working days.
- 2.4 The Grievance Redressal Officer/Nodal Officer will record the decision of the Committee and will take necessary approval from Additional Managing Director on decision taken by Committee.
- 2.5 A final written reply to the aggrieved party will be given by Grievance Redressal Officer within 15 working days from the date of receipt of the grievance, in line with the decision taken by respective Grievance Redressal Committee.
- 2.6 If required the Grievance Redressal Committee or Appellate Authority may call the aggrieved party for hearing.
- 2.7 The Grievance Redressal Officer/Nodal Officer will maintain a Grievance Register containing details of date of receipt of Grievance letter, nature of grievance, description in brief, forwarded to which section, forwarding date, details of the decisions taken and the date of reply to the aggrieved party etc.
- 2.8 The Grievance Redressal Officer will also submit a quarterly progress/status report of the grievances to the Managing Director, UPMSCL and to the members

of Grievance Redressal Committee. Yearly Status Report will be submitted to the Board of Directors for information.

- 2.9 Grievance Redressal Mechanism of UPMSCL will be displayed on its Website and grievances registered online will also be entertained as per process defined above.

## **Level — II**

- 1.4 The Appellate Authority will examine and decide any appeal/ representation received from applicant on the decision of the Grievance Redressal Officer/Grievance Redressal Committee. The Appellate Authority is as —

**Appellate Authority** — Managing Director, Uttar Pradesh Medical Supplies Corporation.

- 1.1 Parties aggrieved by the decision of the Grievance Redressal Committee, can appeal/represent to the Appellate Authority

### **1.2 Form of Appeal:**

- a. An appeal shall be along with as many copies as there are respondents in the appeal.
- b. Every Appeal shall be accompanied by an order appealed against, if any, notarized affidavit verifying the facts stated in the appeal and documents attached etc.
- c. The Appellate Authority will decide the matter in appeal and thereafter communicate the decision to the aggrieved party.

### **1.3 Application fee:**

- a. A standard Grievance registration form will be provided on official website of the Corporation.
- b. Fee for registration of a grievance shall be rupees 100/- which shall be non-refundable.
- c. However any application intentionally submits any vexatious frivolous or malicious application or complaint under these rules, with the intention of delaying or defeating any procurement or any other bidder, same will not be entertained and will be summarily rejected. Also issues entertained during pre bid meets/ procurement process etc will not be addressed but issues like delay due to decisions, refusals of PO etc will be entertained.
- d. The fees shall be paid in the form of Bank Demand Draft or Banker's Cheque of a Schedule Bank payable in the name of Managing Director, UPMSCL Ltd.