

Order

M/s Fantasy Drugs Private Limited, located at Plot No-C-66-69, D-33-36, PO-Hajipur, Industrial Area, District-Vaishali, Bihar, participated in tender reference no. - **BMSIC/DRUGS/23-07** and was declared L1 for Cloxacillin 250 mg Powder for Injection vial. The quoted price of Cloxacillin Injection 250mg (Powder for Injection) Vial by the firm was @ Rs.5.59/- per unit, which is higher than the ceiling price set by NPPA, which is Rs.5.52/- per unit.

The firm was issued a Show Cause Notice vide Letter No. - 5802 dated 10-10-2023 and 11214 dated 22-03-2024. Subsequently, **M/s Fantasy Drugs Private Limited**, was issued a Final Show Cause Notice vide Letter No. 3587 dated 26-07-2024, but the reply is still awaited.

According to Clause 2(d) of the Tender Document, *"The price quoted by the bidders must not exceed the ceiling price as fixed by NPPA (National Pharmaceutical Pricing Authority) as per the provision of "Drugs Price Control Order" (wherever applicable) and the quoted rate should be at least 20% less than its MRP."* is pertinent to this case.

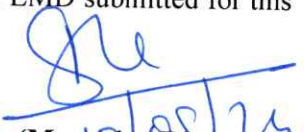
Clause 27 (A) is relevant for such cases which reads as: **BLACK LISTING IN THE EVENT OF WITHDRAWAL FROM THE TENDER, AND NON-ADHERENCE TO THE QUALITY STANDARDS AND SUPPLY SCHEDULE A: BLACKLISTING OF PRODUCT/TENDERER ON WITHDRAWAL OF TENDER:-**

"If the Tenderer fails to execute the agreement / to deposit performance security / to perform the obligations under the tender conditions / commits default in the performance of the contract/agreement, such Tenderers will be blacklisted for a period of 2 years by BMSICL from the date of intimation besides forfeiture of EMD/Performance Guarantee. The Tenderers who have withdrawn after participating in the tender either fully or partially, the entire firm/company will be blacklisted for a period of 2 years from the date of intimation by BMSICL apart from forfeiture of the Security Deposit/EMD."

Thus, in light of the provisions contained in the tender document, the firm, **M/s Fantasy Drugs Private Limited**, situated at Plot No-C-66-69, D-33-36, PO-Hajipur, Industrial Area, District-Vaishali, Bihar, Haryana is hereby blacklisted for its quoted product, **Cloxacillin Injection 250mg (Powder for Injection) Vial**, vide Tender No- **BMSIC/DRUGS/23-07** for a period of two (02) years from the date of issue of this order apart from forfeiture of EMD submitted for this product.

Memo No. -BMSIC/40035/24-2023/507A

Copy to: The Managing Director, **M/s Fantasy Drugs Private Limited**, for information and action.


(Managing Director)
Date- 12 / 09 /2024

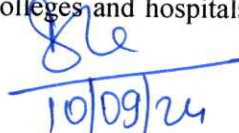


Memo No.-BMSIC/40035/24-2023/5074

Date- 12/09/2024

Copy to:

1. The Additional Chief Secretary, Department of Health, Govt. of Bihar for kind information please.
2. Executive Director, State Health Society, Bihar for kind information please.
3. The CGM (Supply Chain), General Manager (Logistics), General Manager (Finance), BMSIC for information and necessary action. GM (Logistics) is requested to ensure publication of this order on the official website of BMSICL and Notice Board as well.
4. MD, All Medical Corporations and Procurement Agencies all over India for information and necessary action please.
5. CEO, Government e- Marketplace for information and necessary action please.
6. All Civil Surgeons, Bihar and Superintendents of all Govt. medical colleges and hospitals of Bihar for information and necessary action.


10/09/24
(Managing Director)

