

Order

M/s Fantasy Drugs Pvt. Ltd. having its Head Office at Plot No- C-66-69, D-33-36, PO- Hajipur, Industrial Area, Dist- Vaishali, Bihar. has participated in Tender No- BMSIC/DRUGS/23-03 & Tender No- BMSIC/DRUGS/23-05. The firm signed an agreement on 10.11.2023 for the drug Mupirocin Ointment 2% 5 gm tube and Gentamicin Sulphate Injection 10 mg/ml, respectively.

Subsequently, the firm M/s Fantasy Drugs Pvt. Ltd. was issued Purchase Order for 50000 unit of Gentamicin Sulphate Injection 10 mg/ml vide letter no. BMSIC/40010/61-2023/9926 dated 20.02.2024, out of which no supply has been received. In light of that, BMSICL issued show cause to the firm by mail dated 02.05.2024, but no supplies have been received. A second show cause notice was issued by mail dated 24.05.2024 in reference to which the firm has replied that “*due to non-availability of raw materials, we have not been able to start the supply*”. Final show cause notice to the firm was issued vide letter no. BMSIC/40030/286-2024/1938 dated 10.06.2024 in reference to which the firm has again replied the same and asked for grant of extension to supply the said drug. BMSICL has issued the extension vide letter no. BMSIC/40030/25-2022 dated 24.06.2024 for further 10 days but instead of that the firm did not supply.

Subsequently, the firm M/s Fantasy Drugs Pvt. Ltd. was issued Purchase Order for 25000 unit of Mupirocin Ointment 2% 5 gm tube vide letter no. BMSIC/40010/27-2023/10007 dated 20.02.2024, out of which there is no supply received. In light of that, BMSICL issued show cause to the firm by mail dated 02.05.2024, but no supplies have been received. A second show cause notice was issued by mail dated 24.05.2024 in reference to which the firm has replied that “*due to non-availability of raw materials, we have not been able to start the supply*”. Final show cause notice to the firm was issued vide letter no. BMSIC/40030/286-2024/1938 dated 10.06.2024 in reference to which the firm has again replied the same and asked for grant of extension vide letter no. 24.06.2024 to supply the said drug. BMSICL has issued the extension vide letter no. BMSIC/40030/25-2022 dated 24.06.2024 for further 10 days but instead of that the firm did not supply. This pattern of behavior places the firm under the purview of a habitual defaulter.

As both the Purchase Orders vide P.O. No.- BMSIC/40010/61-2023/9926 dated 20.02.2024 and BMSIC/40010/27-2023/10007 dated 20.02.2024 was issued in the month of February 2024 which was indented quantity for Q1(April-June). As on date there is no use of such delayed supply.

This activity of yours is adversely affecting the objectives of BMSICL i.e. Free Drugs supply to every patients at all Government Health Facilities in the State of Bihar within the stipulated time period.

Clause 27(C) of the Standard Bidding Document States that, “**BLACKLISTING FOR NON-SUPPLY/ PART SUPPLY/DELAYED SUPPLY/NON-FULFILLMENT OF CONTRACT OBLIGATION:-**

Notwithstanding various actions and penalties for non-supply and/or delayed supply of the drugs and medicines as stipulated in the terms and conditions of the tender, the BMSICL, shall take action against the supplier as follows:

(i) In case, the supplier is found to be habitual defaulter of delayed supply or not supplying the full quantity in time, the balance amount of performance security of such company shall be forfeited. No further supply order shall be given to them and company shall be barred from participating in any tender floated by BMSICL, further other punitive action such as blacklisting of the firm for a minimum period of 2 years from the date of intimation for blacklisting/debarring.



N No. U85100BR2010SGC015886

(ii) Purchase orders, if any, already issued before taking any blacklisting action or orders given in past will not be affected in view of action taken as per above guidelines but all strict quality checks shall be observed for each supply of products.

The blacklisting of particular product or company/firm will be done without prejudice to other penalties which may be imposed as per the conditions of Tender documents and also to other actions which may be initiated under Drugs and Cosmetics Act, 1940 or any other law of Land. BMSICL will display names of such blacklisted product(S) and company/firm on its website for general notice."

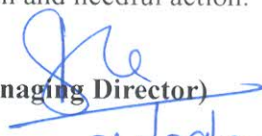
Thus, in light of the provisions contained in the tender document, M/s Fantasy Drugs Pvt. Ltd., with its Head Office at Plot No- C-66-69, D-33-36, PO- Hajipur, Industrial Area, Dist- Vaishali, Bihar, is hereby blacklisted for its quoted drugs i.e., **Gentamicin Sulphate Injection 10 mg/ml**, vide Tender No. **BMSIC/DRUGS/23-03** and **Mupirocin Ointment 2% 5 gm tube** vide Tender No. **BMSIC/DRUGS/23-05**, for a period of two (2) years from the date of issue of this order. Additionally, the security deposit for both the particular product will be forfeited. The unexecuted Purchase Order No. **P.O. No.- BMSIC/40010/61-2023/9926** dated **20.02.2024** and **BMSIC/40010/27-2023/10007** dated **20.02.2024** is hereby cancelled with immediate effect.


 (Managing Director)

Date:- 06/09/2024

Memo No. 4930

Copy to: The Managing Director, M/s Fantasy Drugs Pvt. Ltd. For information and needful action.

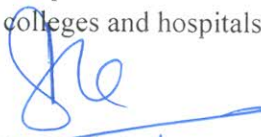

 (Managing Director)

Date:-

Memo No. 4930

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), BMSICL 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.


 (Managing Director)
