

File No- BMSIC/40010/141-2023/ 3881

Date:- 05/08/2024

Order

M/s Rivpra Formulation Pvt. Ltd. having its Head Office at Radisson Blu, K M Trade Tower, 11th Floor, Office No- 1008, H-3, Kaushambhi, Ghaziabad-201010 (U.P) has participated in Tender No- BMSIC/DRUGS/22-11 and the firm signed agreement on 14.12.2022 for the Drug Drotaverine Hydrochloride Tablet 40mg.

Subsequently, the firm M/s Rivpra Formulation Pvt. Ltd. was issued Purchase Order for **162500 unit** of Drotaverine Hydrochloride Tablet 40mg vide letter no. **BMSIC/40030/198-2022/1589 dated 30.05.2023** out of which only **50000 unit** was supplied by the firm. In light of that, BMSICL issued show cause to the firm by mail dated 04.08.2023 in reference to which no reply has been received. The final show cause notice was issued to the firm vide no. **3472 dated 19.07.2024** but no supply and no reply has been received.

Subsequently, the firm M/s Rivpra Formulation Pvt. Ltd. was issued Purchase Order for **585000 Unit** of Drotaverine Hydrochloride Tablet 40mg vide letter no. **BMSIC/40030/198-2022/6841 dated 09.11.2023** against which no supply has been received till today. In light of that BMSICL issued show cause to the firm by mail dated **12.01.2024** in reference to which no reply has been received. Again second show cause notice issued to the firm through mail dated **05.02.2024** against which no reply has been received till date. At last final show cause notice issued to the firm vide no. **3472 dated 19.07.2024** but no supply and no reply received afterwards.

Subsequently, the firm M/s Rivpra Formulation Pvt. Ltd. was issued Purchase Order For **474500 Unit** of Drotaverine Hydrochloride Tablet 40mg vide Letter No. **BMSICL/DRUGS/2024-2025/106 dated 26.04.2024** against which no supply has been received till today. In light of that BMSICL issued show cause to the firm by mail dated **26.06.2024** in reference to which no reply has been received. Again second show cause notice issued to the firm through mail dated **08.07.2024** against which no reply has been received till date. At last final show cause notice issued to the firm vide no. **3472 dated 19.07.2024** but no supply and no reply was received afterwards.

In consonance of above, the previous PO no. **BMSIC/40030/198-2022/9458 dated 25.02.2023** for the 300000 unit of same drug Drotaverine Hydrochloride Tablet 40mg was cancelled and security deposit was forfeited vide **order no. 8475 dated 11.01.24**, due to non supply.

Non supply of this essential drug adversely affecting the objectives of BMSICL i.e. Free drug supply to patients at all Government Health Facilities in the State of Bihar. This is the violation of Clause 27(C) of the Standard Bidding Document.

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) Incase, 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.



(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."

Non supply of this essential drug by the firms comes under the purview of habitual defaulter as per clause 27(c) of Standard bid document. Thus, in light of the provision contained in the tender document, the firm, **M/s Rivpra Formulation Pvt. Ltd.** having its Head Office at Radisson Blu, K M Trade Tower, 11th Floor, Office No- 1008, H-3, Kaushambhi, Ghaziabad-201010 (U.P), is hereby blacklisted for its quoted product Drotaverine Hydrochloride Tablet 40mg, **vide tender no.- BMSIC/DRUGS/22-11**, for a period of two (02) years from the date of issue of this order apart from forfeiture of security deposit of that particular product. The unexecuted purchase order No. **BMSICL/DRUGS/2024-2025/106 dated 26.04.2024**, **BMSIC/ 40030/198-2022/6841 dated 09.11.2023**, **BMSIC/40030/198-2022/1589 dated 30.05.2023** is hereby stand cancelled with immediate effect. Purchase orders, if any, already issued before taking any blacklisting action or orders given in past will not be affected in view of this action taken.

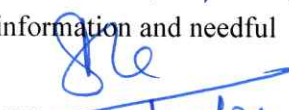
Memo No. **3881**

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

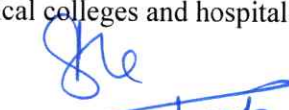

(Managing Director)
Date:- **05/08/2024**

Memo No. **3881**

Copy to:


(Managing Director)
Date:- **05/08/2024**

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)

