

File No- Letter No.: - BMSIC/40030/511-2024/7554

Date: - 26/09/2025

Order

M/s Arion Healthcare having its Head Office at S- 907, IInd Floor, NAC Manimajra, Chandigarh. has participated in **Tender No- BMSIC/DRUGS/23-01** and was issued an Letter Of Intent (LoI) vide letter no.-2409 dated 27.06.2023 for submitting the requisite documents, security deposit, and to execute the Rate-Contract within 15 days from the date of receipt of the LoI for **Amikacin Injection- 100 mg.**

Subsequently, the firm **M/s Arion Healthcare** was issued Purchase Order for **Amikacin Injection- 100 mg** against which the said firm comes under the purview of a habitual defaulter due to non-supply of consecutive two orders.

The firm was issued the purchase order for **92300 units of Amikacin Injection- 100 mg vide P.O. No.- 10282402380 dated 19.10.2024** against which no supply has been received till today. The firm was then issued several show cause notices vide mail dated 19.12.2024 and 07.01.2025, against which no reply has been received. This pattern of behaviour places the firm under the purview of a habitual defaulter. This is the violation of Clause 27(C) of the Standard Bidding Document.

Again, the firm was issued the purchase order for **158000 units of Amikacin Injection- 100 mg vide PO. NO.-10282500043 dated 27.01.2025**, out of which no supply has been received. The firm was then issued several show cause notices mail dated 02.04.2025 & 21.04.2025, and final show cause notice vide mail dated 24.06.2025, against which no reply received. This pattern of behaviour places the firm under the purview of a habitual defaulter. This is the violation of Clause 27(C) of the Standard Bidding Document.

Clause 27 A of the Standard Bid Document stipulates that: -

"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 The Tenderers who have withdrawn after participating in the tender either fully or partially, the entire firm/company will be blacklisted for a period of 2 years from the date of intimation by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".

Clause 27 C of the Standard Bid Document stipulates 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.




(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."

This activity of the firm of non-supply of such important medicine is adversely affecting the objectives of BMSICL i.e. Free Drugs supply to every patient at all Government Health Facilities in the State of Bihar within the stipulated time period.

Thus, in light of the provisions contained in the tender document, M/s Arion Healthcare having its Head Office at S- 907, IInd Floor, NAC Manimajra, Chandigarh is hereby blacklisted for the quoted drug i.e., **Amikacin Injection- 100 mg** for a period of two (2) years from the date of issue of this order apart from forfeiture of security deposit. The unexecuted PO no. 10282500043 dated 27.01.2025 and 10282402380 dated 19.10.2024 is hereby cancelled. Additionally, the rate contract for that particular product is hereby terminated.


(Managing Director)

Memo No. BMSIC/40030/511-2024/ 7554

Date: - 26/09/2025

Copy to: The Managing Director M/s Arion Healthcare. For information and needful action.

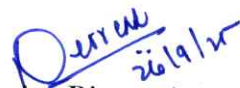

(Managing Director)

Memo No. 7554

Date: - 26/09/2025

Copy to:

1. The 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.
7. All the concerned manufacturer having rate contract with BMSICL for information.


(Managing Director)

