

File No.:- BMSIC/40025/28-2020/6639

Date: -16/ 11 /2022

Order

M/s Revat Laboratories Pvt Ltd, 105B, Usha Enclave, Srinagar Colony, Hyderabad-5000073 was declared as L1 bidder for following drug vide tender reference no.- BMSIC/DRUGS/19-08:-

1. Rabeprazole Gastro-resistant Tablets IP 20 mg (with unit price of Rs. 0.35/-).
2. Sodium Valproate Oral Solution 200mg/5ml (with unit price of Rs. 16.50/-).
3. Zinc Sulphate Dispersible Tablet 20 mg (with unit price of Rs. 0.10/-).

Accordingly, the firm M/s Revat Laboratories Pvt Ltd was issued a Letter of Intent (LoI) vide letter no. - BMSIC/40025/28-2020/7014, dated 11-12-2020 for submitting the requisite documents, security deposit and to execute the Rate-Contract for the said drug. Subsequently, the firm Revat Laboratories Pvt Ltd was issued Purchase Orders for above said drugs vide letter no. 4720 dated 23-09-2021 & 6797 dated 16-12-2021.

The firm supplied the following batches of Rabeprazole Gastro-resistant Tablets IP 20 mg to Patna, Purnia and Muzaffarpur warehouses of BMSICL against the above mentioned purchase orders and has been found to be 'Not of Standard Quality' as per BMSICL empanelled Quality Testing Laboratory test report and two batches form RDTL, Guwahati.

S.No	Name of the firm	Name of the Drug	Purchase Order No & Date	Batch No	Failed parameter
1	Revat Laboratories Pvt Ltd	Rabeprazole Gastro Resistant Tablets IP 20 mg	8258 dated 22-01-2021	RRZT-009	Failed in Assay parameter.
2			4720 dated 23-09-2021	RRZT-011	Failed in Dissolution Parameter
3				RRZT-012	
4				RRZT-014	
5				RRZT-015	
6				RRZT-013	
7				RRZT-016	
8				RRZT-017	
9				RRZT-018	
10				RRZT-019	
11				RRZT-020	
12				RRZT-021	
13				RRZT-022	
14			6797 dated 16-12-2021	RRZT-023	
15				RRZT-024	
16				RRZT-025	

Clause 24 e of the Tender Document is relevant for such cases which reads as: *The drugs shall be of standard quality throughout the shelf life period of the item. Samples can be drawn for quality testing periodically throughout the shelf life period. If the sample is declared to be "NOT OF STANDARD QUALITY" or spurious or adulterated or misbranded, such batch / batches will be deemed to be rejected goods and action will be taken as per tender clause.*

Clause 24 f of the Tender Document is relevant for such cases which reads as: *"If the product/sample fails in quality test, every failed batch shall be taken back by the supplier at their own cost and BMSICL shall not be responsible for any damage during this period".*

Clause 24 g of the Tender Document is relevant for such cases which reads as: *If a sample is found as not of standard quality by the Tender Inviting Authority, the distribution of NSQ batch will be frozen. The bidder will be liable for appropriate action as per the tender conditions and also for other legal actions under the Drugs & Cosmetics Act & Rules. The Tender Inviting Authority, at his discretion may terminate the Contract and in case of such termination, the supplier shall be liable for all losses sustained by the Tender Inviting Authority, which may be recovered from the Security Deposit made by the Supplier and / or any other money due or becoming due*



to him. In the event of such amounts being insufficient, the balance may be recovered from the Supplier as per the provisions of Law."

Clause 27 B (2) of the Tender Document is relevant for such cases which reads as: "If such Sample fails in quality test for ASSAY content of less than 50% as per the Government Analyst report, such product of the supplier will be deregistered/debarred for one year."

Clause 27 B (3) of the Tender Document is relevant for such cases which reads as: "If 3 batches of a particular item supplied by the supplier is reported to be failing in ASSAY content (above 50% but below prescribed limit) and /or other parameters, then the particular item of the firm shall be blacklisted for minimum of two years besides forfeiture of Security Deposit of that particular product(s)."

Clause 27 B (5) of the Tender Document is relevant for such cases which reads as: "If a single batch of any product(s) supplied by the company/firm declared as Adulterated/spurious/ Misbranded by the Government Authorities during the shelf life of the product supplied irrespective of tender period, the company/firm shall be blacklisted for a period of 2 years from the date of intimation & forfeiture of security deposit."

Clause 27 C of the Tender Document is relevant for such cases which reads as: "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, the firm, M/s Revat Laboratories Pvt Ltd, 105B, Usha Enclave, Srinagar Colony, Hyderabad-5000073 is hereby blacklisted for its quoted product Rabeprazole Gastro-resistant Tablets IP 20 mg for a period of two (02) years from the date of issue of this order apart from forfeiture of security deposit. The unexecuted Purchase Orders issued earlier shall also stand cancelled.

Memo No. -BMSIC/40025/28-2020/6639

Copy to: The Managing Director, Revat Laboratories Pvt Ltd, for information and action.

(Managing Director)
Date- 16 / 11 / 2022

Memo No.-BMSIC/40025/28-2020/6639

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.

(Managing Director)

