

File No.:- BMSIC/40025/84-2021/7353

Date: 14/12/2022

Order

M/s Ridley Life Sciences Private Limited, situated at D-1651, DSIDC Industrial Complex, Narela, Delhi-110040 was declared as L1 bidder for following drug vide tender reference no.- BMSIC/DRUGS/20-10:-

1. Misoprostol Tablets, 200 µg.

Accordingly, M/s Ridley Life Sciences Private Limited was issued a Letter of Intent (LoI) vide Letter No. - BMSIC/40025/84-2021/9563 dated 09-03-2021 for submitting the requisite documents, security deposit and to execute the Rate-Contract for the said drug. The Rate contract was executed on 31-03-2021.

Subsequently, the firm M/s Ridley Life Sciences Private Limited was issued Purchase Orders for above said drug vide Letter No. 9196 dated 25-02-2022.

As per report of CDL, Kolkata, **Misoprostol Tablets IP 200 mcg having batch no- RT220304**, supplied by M/s Ridley Life Sciences Private Limited to Patna, Purnia and Muzaffarpur warehouses of BMSICL has been declared as 'Not of Standard Quality' vide Letter No-2266 dated 28-10-2022, as the sample does not conform to IP with respect to Assay. Hence the firm M/s Ridley Life Sciences Private Limited was issued showcause notice vide BMSICL Letter No-BMSIC/40025/84-2021/6636 dated 16-11-2022.

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 27(B) (2) of the Tender Document is also 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 24(g) of the Tender Document is relevant for such cases which read 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 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 Ridley Life Sciences Private Limited, situated at D-1651, DSIDC Industrial Complex, Narela, Delhi-110040 is hereby debarred for its quoted product Misoprostol Tablets, 200 µg for a period of one (01) year 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/40025/84-2021/7393**

Copy to: The Managing Director, M/s Ridley Life Sciences Private Limited, for information and action.

(Managing Director)

Date: -14/12/2022

Memo No. - **BMSIC/40025/84-2021/7393**

Copy to:

(Managing Director)

Date: -14/12/2022

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) 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 college and hospitals of Bihar for information and necessary action.

(Managing Director)

