

File No- BMSIC/40010/38-2019/ 253\

Date: -26/07/2022

Order

M/s Eurolife Healthcare Private Limited, having its head office at 901-B, Tower-2, Indiabulls Finance Centre, Elphinstone, Mumbai-400013 was declared as L1 bidder for following drugs vide tender reference no. - BMSIC/DRUGS/18-12:-

- (i) Dextrose Injection (Form, Fill & Seal process) Infusion 5% w/v 500 ml (Rs.15.11/- per Bottle).
- (ii) Dextrose Injection (Form, Fill & Seal process) Infusion 10% w/v 500 ml (Rs.16.69/- per Bottle).

Accordingly, the firm M/s Eurolife Healthcare Private Limited was issued a Letter of Intent (LoI) vide letter no. - BMSIC/40010/38-2019/1603, dated 01-06-2019 of BMSICL for submitting the requisite documents, Performance security deposit and to execute the Rate-Contract for the said drugs.

Subsequently, the firm M/s Eurolife Healthcare Private Limited was issued following Purchase Orders of:-

- (i) 60,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 10% w/v 500 ml vide letter no. - BMSIC/40010/38-2019/2200, dated 24-07-2019.
- (ii) 50,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 5% w/v 500 ml vide letter no. - BMSIC/40010/38-2019/3117, dated 03-09-2019.
- (iii) 35,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 10% w/v 500 ml & 35,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 5% w/v 500 ml vide letter no. - BMSIC/40010/38-2019/5648, dated 19-12-2019.
- (iv) 15,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 10% w/v 500 ml & 15,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 5% w/v 500 ml vide letter no. - BMSIC/40010/38-2019/6180, dated 13-01-2020.
- (v) 50,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 10% w/v 500 ml & 50,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 5% w/v 500 ml vide letter no. - BMSIC/40010/38-2019/7355, dated 27-02-2020.
- (vi) 85,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 10% w/v 500 ml & 1,65,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 5% w/v 500 ml vide letter no. - BMSIC/40010/38-2019/1306, dated 05-05-2020.
- (vii) 50,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 5% w/v 500 ml vide letter no. - BMSIC/40010/38-2019/500, dated 19-04-2021.
- (viii) 70,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 10% w/v 500 ml & 1,80,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 5% w/v 500 ml vide letter no. - BMSIC/40010/38-2019/4868, dated 29-09-2021.
- (ix) 1,00,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 10% w/v 500 ml & 2,00,000 units of Dextrose Injection (Form, Fill & Seal process) Infusion 5% w/v 500 ml vide letter no. - BMSIC/40010/38-2019/6789, dated 16-12-2021.

M/s Eurolife Healthcare Private Limited, vide letter no- 3980 dated 04-10-2019 was issued a show cause notice for violation of the clause 27© of the Standard Bidding Document which reads as, "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." and also informed that because of this activity of Non-supply of the ordered drug against Purchase Order no- BMSIC/40010/38-2019/2200 dated 24-07-2019, BMSICL is forced to initiate strong action against your firm in accordance with the terms and conditions laid under the SBD pertaining to the Tender No- BMSIC/DRUGS/19-08. But no reply was given by the firm.

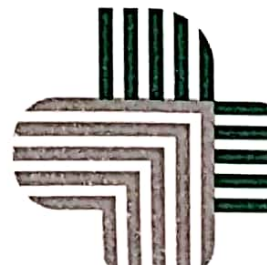
M/s Eurolife Healthcare Private Limited, vide letter no- 4027 dated 27-08-2021 was again issued a show cause notice for Non-supply of the ordered drug against Purchase Order no- BMSIC/40010/38-2019/500 dated 19-04-2021. But no reply was given by the firm.

BMSICL again vide letter no- 9611 dated 11-03-2022 issued a showcause to M/s Eurolife Healthcare Private Limited for non-supply of ordered quantity against the purchase order no- BMSIC/40010/38-2019/4868 dated 29-09-2021 & BMSIC/40010/38-2019/6789, dated 16-12-2021 and directed to reply within 07 days failing which it shall be presumed that you have nothing to say and according appropriate action shall be taken against your firm unilaterally as per the provisions of law and the terms and conditions outlined in the tender clause. But no reply was given by the firm.

This was despite the fact that BMSICL vide letter no-2853 dated 24-06-2020 & letter no-4034 dated 17-08-2020 allowed your firm, M/s Eurolife Healthcare Private Limited to supply Dextrose Injection (Form, Fill & Seal process) Infusion 5% w/v 500 ml & Dextrose Injection (Form, Fill & Seal process) Infusion 10% w/v 500 ml at different Warehouses of BMSICL against Purchase Order no- BMSIC/40010/38-2019/1306, dated 05-05-2020 in light of the your request vide mail dated 29-05-2020 & 27-07-2020.

Again, BMSICL vide letter no-1932 dated 16-06-2021 & 4577 dated 17-09-2021 allowed your firm, M/s Eurolife Healthcare Private Limited to supply Dextrose Injection (Form, Fill & Seal process) Infusion 5% w/v 500 ml at different Warehouses of BMSICL against Purchase Order no- BMSIC/40010/38-2019/500, dated 19-04-2021 in light of the your request vide mail dated 21-05-2021 & 13-09-2021.

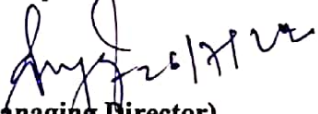
The firm, M/s Eurolife Healthcare Private Limited did not supply the ordered quantity against the PO No-4868, dated 29-09-2021 & PO No-6789, dated 16-12-2021, which adversely



affected the objectives of BMSICL, i.e. Free drugs supply to every patients at all Government health facilities in the State of Bihar, thus violating Tender Clause No- 19 (e), which reads as, *"It is the duty of the supplier to supply Drugs/Medicines at the destinations mentioned in the Purchase Order and supply shall confirm to the conditions mentioned in the provisions of NIT, rate contract and directives of BMSICL."*

In view of the above facts, M/s Eurolife Healthcare Private Limited was issued a Final show cause notice vide letter no-81, dated 05-04-2022, and also informed that because of this activity of Non-supply of the ordered item, BMSICL is forced to initiate strong action against your firm in accordance with the terms and conditions laid under the SBD pertaining to the Tender No- BMSIC/DRUGS/18-12. The reply of the said firm is still awaited.

Therefore, as per the conditions outlined in Clause no- 27 C vide Tender reference no- BMSIC/DRUGS/18-12, M/s Eurolife Healthcare Private Limited situated at 901-B, Tower-2, Indiabulls Finance Centre, Elphinstone, Mumbai-400013 is hereby blacklisted for a period of two (02) years from the date of issue of this order apart from forfeiture of security deposit. The non-executed purchase orders issued earlier also stands cancelled.


(Managing Director)

