

File No- BMSIC/40010/129-2023/8357

Date:- 09/01/2024

Order

M/s ANG Lifesciences India Ltd. having its Head Office at Darbara Complex, First Floor, B-Clock, Ranjit Avenue, Amritsar has participated in Tender No- BMSIC/DRUGS/21-12 and BMSIC/DRUGS/20-16 was awarded the rate contract for the quoted drugs: -

- 1) Lactulose Solution -10 gm/ 15 ml
- 2) Dobutamine Injection 50 mg/ml

Subsequently, the firm M/s ANG Lifesciences India Ltd. was issued Purchase Order for 30000 Unit of Lactulose Solution -10 gm/ 15 ml vide Letter No. BMSIC/40025/89-2022/9508 dated 25.02.2023 & 2000 Unit of Dobutamine Injection 50 mg/ml vide Letter No. BMSIC/40025/98-2021/9525 dated 25.02.2023. The firm did not supply the ordered quantity within stipulated time of 60 days.

In view of the above, BMSICL issued show cause to the firm vide mail dated 20.06.2023. The firm has replied that "We had planned to procure the Product Lactulose Solution -10 gm/ 15 ml [D0462][EDL] at our plant. But due to sudden breakdown of machinery at our Unit of Liquid Syrups, due to this all products related to Liquid Syrups got delayed. As our plant there was some technical issue, the situation was beyond our control". Till today the firm has not been supplied the said Purchase Order and the reply by the firm was found to be unsatisfactory. This is the violation of Clause 27(C) of the Standard Bidding Document.

Subsequently, final show cause notice was issued to the firm vide letter no. 7626 dated 07.12.2023, against which firm has replied that "we are ready to supply the drugs/products mentioned in your show cause letter with an extension of 60 days without any LD/Penalty imposed on us. Here we want to apprise you that the hike of RM in domestic market is too high as compare to the time of filing the tender in 2020-2021. We, ANG Lifesciences (I) Ltd. company always come forward to serve the humanity. We can complete the supply on or before within the extension of 60 days as minimum 30-40 days to procure the RM and 10-15 days are require for transportation and to complete MRC online. Hence, we request you to kindly give us confirmation, so that we can take this into our plan and arrange RM accordingly".

As the said purchase order was issued on 25.02.2023 and non supply of this essential drug adversely affecting the objectives of BMSICL i.e. Free drug supply to every patients at all Government Health Facilities in the State of Bihar and your reply of this show cause was found to be unsatisfactory. 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) 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.”

Hence, in view of the provisions in Standard Bidding Document, the non executed Purchase Order No. BMSIC/40025/89-2022/9508 dated 25.02.2023 & BMSIC/40025/98-2021/9525 dated 25.02.2023 issued to the firm M/s ANG Lifesciences India Ltd., Darbara Complex, First Floor, B-Clock, Ranjit Avenue, Amritsar, is hereby stand cancelled with immediate effect apart from forfeiture of security deposit submitted for Lactulose Solution -10 gm/ 15 ml & Dobutamine Injection 50 mg/ml.


Memo No. 8357


(Managing Director)

Date:- 09/01/2024

Copy to: The Managing Director, M/s ANG Lifesciences India Ltd. For information and needful action.


Memo No. 8357


(Managing Director)

Date:- 09/01/2024

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), 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)

