

File No- BMSIC/40010/131-2023/8476

Date:- 11/01/2024

Order

M/s Optimus Pharma Private Limited having its Head Office at Sy. No- 37/A & 37/P, Plot No-6P, 2nd Floor, Signature Towers, Kothagudu, Hyderabad-500084 has participated in Tender No-BMSIC/DRUGS/20-10 and was awarded the rate contract for the quoted drug Linezolid Tablet 600mg.

Subsequently, the firm M/s Optimus Pharma Private Limited was issued Purchase Order for 45000 Unit of Linezolid Tablet 600mg vide Letter No. BMSIC/40025/78-2021/9271 dated 22.02.2023. 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 08.05.2023 but as of today, the firm has not replied to the show cause notice

Subsequently, second show cause notice was issued to the firm vide mail dated 20.06.2023 and final show cause notice was issued to the firm vide letter no. BMSIC/40010/131-2023/7710 dated 12.12.2023, again the firm has not replied to the second and third show cause notice.

As the said purchase order was issued on 22.02.2023 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 contained in Standard Bid Document, the non executed Purchase Order No. BMSIC/40025/78-2021/9271 dated 25.02.2023, issued to the firm M/s Optimus Pharma Private Limited, Sy. No- 37/A & 37/P, Plot No-6P, 2nd Floor, Signature Towers, Kothagudu, Hyderabad-500084, is hereby declared as cancelled with immediate effect, apart from forfeiture of the security deposit submitted for the Drug namely Linezolid Tablet 600mg.


(Managing Director)

Date:-

Memo No.

Copy to: The Managing Director, M/s Optimus Pharma Private Limited For information and needful




(Managing Director)

Date:- 11/01/2024

Memo No. 8476

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)

