

BUREAU OF PHARMA PUBLIC SECTOR UNDERTAKINGS OF INDIA
(Set up under the Department of Pharmaceuticals, Government of India)

No. BPPI/Drug-25/2016

Dated: 31/01/2019

Order

Whereas, Bureau of Pharma Public Sector Undertakings of India, New Delhi had published tender no. BPPI/Drugs-25/2016 through e-procurement system i.e. CPP Portal for supply of drugs for the year 2016-2018.

Whereas, M/S Legen Healthcare Pvt. Ltd. (hereafter called as the firm) addressed at Plot No. 20 Sector 5, Parwanoo; Dist.: Solan, Himachal Pradesh had participated in the tender. The firm was awarded **Drug code 53 Cefixime oral suspension 50mg/5ml 30ml** supply to BPPI, New Delhi for the period of 2 years as per tender provision. **Samples of Drug code 53 Cefixime oral suspension** having batch no. **DX- 1148** was found **NOT OF STANDARD QUALITY** after testing in Government laboratory as per details below:

Product Name	Batch No.	Mfg. Date	Exp. Date	Reason of rejection	Failed by	Report no. and date
Cefixime oral suspension 50mg/5ml 30ml	DX - 1148	10/16	04/18	Granular mass particle observed in bottle	Drug Inspector, Shimla, HP	SML/DRUGS/18-19-130 Dated 25/04/2018

Whereas, Bureau of Pharma Public Sector Undertakings of India, New Delhi issued Show cause notice on dt.23/08/2018 to the firm informing about provisions of the clause no. 15.2, 19.2 & 20.1(a) of tender document with request to explain within 7 days why not following actions against them may be taken: -

- Forfeit of Security Deposit per clause 20.1 (a) of tender document.
- blacklisting of the firm as per clause 19.2 and 20.1(a) of tender document.


Further, the firm was asked to pay the total cost **Rs37301.25** (Inclusive of taxes and duties) of the drug batch no. **DX-1148**.

Whereas, the firm vide their letter dated 12/09/2018 informed that they have not received any letter/test report from any drug department. M/s Legen Healthcare Pvt. Ltd. do not agree with the results as claimed unless they receive a copy of test report and a portion of sample so that the same can be challenged as per Drugs & Cosmetic Act.

The report given by government drug testing laboratory is conclusive, final and binding on the supplier in term of provision of 20.2.1(f) of tender document.

In view of above, the firm is debarred for a period of 2 years to participate in any tender of BPPI for supplying of drug i.e. **Drug code 53 Cefixime oral suspension 50m/5ml 30ml** from date of issuance of this order besides recovery of total cost **Rs37301.25** of drug batch no. **DX-1148** and forfeiture of performance security (Rs312742).

This order is without prejudice to the legal and criminal action to be taken if any, by Bureau of Pharma Public Sector Undertakings of India, New Delhi in the matter.


Sachin Singh, IRS
Chief Executive Officer
For & on Behalf of BPPI, New Delhi

To

M/s Legen Healthcare Pvt Ltd
Plot No 20 Sector 5, Parwanoo
Dist.: Solan
Himachal Pradesh

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