

No. BPPI/DRUG/RC-128/2020, No. BPPI/DRUG/RC-150/2020
No. BPPI/DRUG/RC-156/2020

Dated: 22/07/2022

Revocation order

Pharmaceuticals & Medical Devices Bureau of India, New Delhi had issued a show cause notice vide reference No. BPPI/DRUG/RC-128/2020, No. BPPI/DRUG/RC-150/2020, No. BPPI/DRUG/RC-156/2020 to M/S Medipol Pharmaceutical India Pvt. Ltd. through mail/DAK date 06.08.2021 asking for furnishing explanation by the firm informing about provisions of the clause no. 4(H), 13(C), 27(A), 31(B), 31(B) Sub-Clause (V) of tenders document with request to explain the concealing of the fact about blacklisting of the firm by GMSD (Government Medical Store Depots/ Medical Store Organization, Directorate General of health Services, Government of India to PMBI while participating in above mentioned tenders.

As reply against show cause notice and clarification & statements seemed to be vague and not at all satisfactory to PMBI, As per office memorandum vide reference no. PS/De-regn./Medipol/2020-21/2795 date 04.12.2020, M/S Medipol Pharmaceutical India Pvt. Ltd. was De-registered/Debarred for supply of all drugs/products to MSO/GMSDs for period of five (05) years w.e.f. 24.10.20219 to 24.10.2024.

In view of above, M/S Medipol Pharmaceutical India Pvt. Ltd. was blacklisted for period of two (02) successive years from 07.10.2021 to participate in the tenders of **Pharmaceuticals & Medical Devices Bureau of India, New Delhi** for supply of all drugs/products from date of issuance of order.

However, M/S Medipol Pharmaceutical India Pvt. Ltd. has requested to invoke the arbitration against blacklisting order for tender No. BPPI/DRUG/RC-128/2020, No. BPPI/DRUG/RC-150/2020, No. BPPI/DRUG/RC-156/2020 as per clause. Whereas discussion /arguments/ counterarguments have taken place during hearings held on 19.04.2022, 11.05.2022, 17.05.22, 20.05.2022, 29.05.2022, & 01.07.2022.

An interim Order was passed by 'Arbitrator' on 20.05.2022 and final order was passed on 13.07.2022 after statements of both the parties, Arbitration Tribunal has come to conclusion that GMSD has blacklisted the M/S Medipol Pharmaceutical India Pvt. Ltd. w.e.f. 24.10.2019 i.e before their participation in the BPPI/PMBI's tenders. After submitting the required documents by M/S Medipol Pharmaceutical India Pvt. Ltd. it seems that M/S Medipol Pharmaceutical India Pvt. Ltd. had been Deregistered/ Debarred by GMSD vide their Office Memorandum dated 04.12.2020 retrospectively w.e.f. 24.10.2019 and M/S Medipol Pharmaceutical India Pvt. Ltd. was not aware about debarring by the GMSD (Government Medical Store Depots/ Medical Store Organization, Directorate General of health Services, Government of India) while participating in the above-mentioned tenders. Also, M/S Medipol Pharmaceutical India Pvt. Ltd. was Blacklisted/Debarred by GMSD has also set aside by the Hon'ble High Court of Judicature at Bombay.



In view of above 'Arbitrator' passed a final arbitral ORDER to set aside the order of M/S Medipol Pharmaceutical India Pvt. Ltd. of 07.10.2021 with immediate effect.

Therefore, revocation order is issued to M/S Medipol Pharmaceutical India Pvt. Ltd. with **immediate effect** and rate contracts of tender No. BPPI/DRUG/RC-128/2020, No. BPPI/DRUG/RC-150/2020 & BPPI/DRUG/RC-156/2020 are reinstated.



Ravi Dadhich, DANICS
Chief Executive Officer
Pharmaceuticals & Medical Devices Bureau of India, New Delhi

Copy to.

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