



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

No. BPPI/Drug- 040/2016

Dated: 29/11/2018

**ORDER**

Whereas, Bureau of Pharma Public Sector Undertakings of India, New Delhi had published tender no. BPPI/Drugs- 040/2016 dated 09.06.2016 for the year 2016-2018 and BPPI/Drugs- 052/2017 dated 11.08.2017 for the year 2017-2019 through e-procurement system i.e., CPP portal on 09.06.2016 and 11.08.2017 respectively for supply of drugs.

Whereas, M/S Scott- Edil Pharmacia Ltd. (here after called as the firm) addressed at "54-55, Industrial Area Phase- II, Chandigarh- 160002, had participated in both tenders. The firm was awarded 02 drugs (DC- 45 and DC- 39) by Bureau of Pharma Public Sector Undertakings of India, New Delhi vide letter no. BPPI/Drug-40/2016 and agreement was signed on 18/11/2016 for supply of 2 drugs as per tender provision. Further, vide BPPI letter no. BPPI/Drug-052/2017 dated 28.12.2017 awarded 02 drugs (DC- 186 and DC- 767) as per tender provision. The firm was asked to supply the drug within 45 days as per clause 12.4 (b) of tender document (BPPI/Drugs- 040/2016) as per details below and to submit the performance security against tender no. BPPI/Drugs-052/2017.

S. No.	Purchase order no. & date	Drug code (DC)	Description of Drug	Quantity	Delivery Period	Value of purchase order(Including GST)
1.	18000086 dated 28.04.2018	45	Amoxicillin Capsules IP 500mg	23500	45 Days (Expired on 12.06.2018)	307154/-

The firm haven't supplied the drug DC- 45 against tender no. BPPI/Drugs- 040/2016. Further, the firm haven't submitted the performance security against tender no. BPPI/Drugs-052/2017.

Whereas, Bureau of Pharma Public Sector Undertakings of India, New Delhi issued Show cause notice dated 25/09/2018 against tender no. BPPI/Drugs- 040/2016 and show cause notice dated 28/09/2018 against tender no. BPPI/Drugs-052/2017 to the firm informing about the clause no. 12.4 (d), (e), 19.7 & 20.1(a) and clause no. 10.4 of tender document respectively with request to explain within 7 days why not following actions against the firm may be taken:-

- (i) Procure the drugs from the other sources at your risk and cost as per tender clause 12.4 (d) & (e) and recovery of extra expenditure shall be made from you.
- (ii) Forfeit of Security Deposit of Rs. 339023/- submitted by you in form of Bank Guarantee No. 0506216BG0000538 dated 07.11.2016 from State Bank of India.
- (iii) Consider your bad performance for future dealings & disqualify your company from participating in the tender for the 2 years.
- (iv) Initiate blacklisting of your company.
- (v) Forfeit of EMD of Rs. 100000/- submitted by you in form of DD No. 143447 from Allahabad Bank.

Whereas, the firm vide their e-mail dated 03/10/2018 against tender no. BPPI/Drugs- 040/2016 informed that they couldn't supply DC-45 against the PO No. 18000086 dated: 28.04.18 as their license for this drug was surrendered in May 2018 owing to certain issues. The firm further stated that they are in the process of getting the same drug manufactured on loan license basis from their sister concern M/S Scott-Edil Advance Research lab & Education Ltd. As per tender provision, supply from other source as requested by the firm is not acceptable. The firm has not indicated the reasons to surrender the drug license of above drug. In respect of tender no. BPPI/Drugs-052/2017, the firm had informed vide their letter dated 09.10.2018 that they have quoted wrong rates. The explanation of firm against both tenders was found unsatisfactory.

**In view of above, the firm is debarred for a period of 2 years for any supply of drugs to Bureau of Pharma Public Sector Undertakings of India, New Delhi from date of issuance of this order besides forfeiture of performance security against tender no. 040 and forfeiture of EMD against tender no. 052.**

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  
Bureau of Pharma PSUs of India, New Delhi

To

**Regd.**

M/S Scott- Edil Pharmacia Ltd. (here after called as the firm) addressed at "54-55, Industrial Area Phase-II, Chandigarh- 160002

Copy To:

File No. BPPI/Drug-052/2017